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Vaša elektronska serijska publikacija koja nosi naslov: **NAUČNI BILTEN**

dobila je svoj ISSN broj (Međunarodni standardni broj za serijske publikacije)

ISSN 2337-0521 od ISSN Centra Crne Gore.

Štampana verzija Vašeg časopisa ima ISSN 1800-9794. Molim da na sajtu **ekonomskiinstitut.com** postavite informaciju o oba dodijeljena ISSN broja, na prim.:

ISSN 1800-9794 Naučni bilten (Štampano izd.)

ISSN 2337-0521 Naučni bilten (Online)

ISSN zajedno sa naslovom serijske publikacije služi za njenu identifikaciju na internacionalnom nivou. Dobijanjem ISSN broja Vaš časopis/novina ulazi u Međunarodnu ISSN bazu čije je sjedište u Parizu (više o ISSN možete pročitati na adresi: http://www.issn.org/2-22636-All-about-ISSN.php). Dodijeljeni ISSN broj odnosi se isključivo na gore navedeni naslov (molim da mi javite što prije NASLOV i web adresu!) , te ako dođe do bilo kakve promjene naslova, a naročito promjene adrese na kojoj je dostupan, molimo Vas da me što prije obavijestite.

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ISTRAŽIVANJA I RAZVOJ
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NAUČNI BILTEN
BULETINI SHKENCOR
Međunarodni naučni časopis
Revista Shkencore ndërkombëtare
International Scientific Journals

Br/Nr. 7 Vëllimi 2
God - Viti / 2015

Ulcinj-Ulqin
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CIP – Каталогизација у публикацији
Централна народна бибиотека Црне Горе, Цетиње 330(905L)
NAUČNI bilten:ekonomska istraživamja
Buletin Shkencor:hulumtime ekonomike

Urednik:Elez Osmani- God.1,br.1(2009)
Ulcinj:(Pinješ bb):Centar za ekonomska istraživanja 2013.24 cm
Godišnje.

ISSN 1800-9794
COBISS.CG-ID 20586256

Shtëpia botuese Instituti per kërkime shkencore dhe zhvillim – Ulqin

Shtypi: Shtypëshkronja Dukagjini – Pejë, Kosovë

Korrektoi dhe punoi në kompjutër: Msc. Kastriot Blakaj & Msc. Lavdim Beqiri

E drejta e autorit:

Instituti per kerkime shkencore dhe zhvillim
”Redaksia e Buletinit Shkencor” Ulqin
Adresa e redaksisë:

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FJALA E PRESIDENTIT ALFRED MOISIU - NATO DHE SIGURIA E PAQES NË BALLKAN

(Ulqin, 3 Prill 2015)

Dihet që Ballkani është i njohur në historinë europiane, përveç të tjerave edhe me nofkën jo shumë tërheqëse, por afër realitetit, si "FUÇI BARUTI'. Kjo edhe për faktin se të dy luftrat botërore të shekullit të kaluar, zanafillën e tyre e kanë pasur në Ballkan. Lufta e Parë në atentatin e Sarajevës, kurse Lufta e Dytë filloi me pushtimin ushtarak të Shqipërisë, nga Italia Fashiste në prill të vitit 1939. Jo vetëm kaq, sikurse dihet lufta e parë dhe shum e përgjakshme, që është bërë në Europë pas përfundimit të Luftës së Dytë Botërore në vitin 1945, prap është zhvilluar në Ballkan, midis vendeve që dolën nga shpërbërja e ish Jugosllavisë.

Megjithëse ajo luftë realisht ka mbaruar që në vitin 1999, jo vetëm pasojat e saj janë ende gjallë, por ende kemi zjarre të përgjumur, sikurse është situata në Bosnje dhe ajo në Mitrovicën e Veriut në Kosovë. Ashtu sikurse dihet, për fat të keq, politika serbe për këto dy vatra të rrezikshme, bën pak përpjekje t'i shuajë përfundimisht. Dhe për të mos thënë mandej se është ajo që ju shërben indirekt mbajtjes gjallë të tyre. Veçanërisht situata në Kosovë, vazhdon të jetë një kërcënim i heshtur i paqes në rajon. Mosnjohja e Kosovës dhe ushqimi i tendencave nacionaliste nga politikanët serbë të tipit Sheshel dhe pasuesëve të tij, vazhdon të qëndrojë si hije kërcënuese për stabilitetin e rajonit. Kjo situatë e ka detyruar NATO-n që të mbajë ende kontigjente ushtarake në Kosovë.
Këto ditë Vuk Drashkoviç, ish ministër i jashtëm i Serbisë, ka bërë një deklaratë të sinqertë do të thoja, që vërteton më së miri ato për çka fola më sipër. Midis të tjerave ai ka thënë: "Ka ardhur koha që Serbia duhet të pranojë humbjen dhe asgjë nuk mund të justifikohet". Dhe më tej vazhdon: "Politika e re duhet të pastrohet nga politika e mëparshme e disfatës dhe e krimit dhe të gjitha armiqësitë e luftës duhet të kthehen në miqësi".

Nuk dëshiroj të luaj rolin e Kasandrës, por jam i mendimit se gjërat duhen parë drejt e në sy, pasi vetëm kështu mund të gjejmë jo vetëm arsyet e vërteta të tensioneve të herëpashershme, por çka është më e rëndësishme, të gjejmë rrugët e vërteta dhe përfundimtare për zgjidhjen ë këtyre problemeve. Pra të shuajmë realisht dhe përfundimisht këto vatra zjarri dhe të ulim ndjenjat e rrezikshme nacionaliste në Ballkan, të cilat gjithmonë kanë krijuar situata të ndera dhe gjakderdhëse.

Mandej nuk mund të rri pa përmendur se që në krye të herës, SHBA, BE e NATO kanë qenë dhe janë shumë të interesuara që në këtë pjesë të Europës të ketë paqe dhe zhvillim. Siç dihet nga të gjithë, qe ndërhyrja energjike e NATO-s dhe sidomos ajo e SHBA-së që mundësoi përfundimin e gjakderdhjes së pakuptimtë në Bosnje. Por ama ai genocid i tmerrshëm në Kosovë i shkaktuar prej serbëve, mundi të përfundoi vetëm me ndërhyrjen ushtarake të NATO-s, të mbështetur në mënyrë të veçantë nga SHBA dhe Anglia. Pra, në këtë rast NATO, për herë të parë që nga krijimi i saj, ndërhyri ushtarakisht në një vend europian, për t'i dhënë fund një lufte të padrejtë dhe të ndyrë, që Serbia po kryente ndaj një pjese të popullit në përbërje të saj, vetëm e vetëm se ishte i një etnie tjetër. Kështu NATO, kjo strukturë e fuqishme politiko-ushtarake, e krijuar gjatë Luftës së Ftohtë për të ndaluar ekspansionin agresiv sovjetik, pas përfundimit të saj, megjithë kritikat se nuk kishte pse të qëndronte së ekzistuari, tregoi se kishte vlera të pazëvendësueshme jo vetëm për të ruajtur paqen në Europë, por edhe më tej.
Ne në Shqipëri, menjëherë pas përmbysjes së diktaturës dhe fillimeve demokratike, përqafuam idenë e integrimit të vendit tonë në NATO. Por kjo nuk ishte vetëm një dëshirë e jona, por edhe qëllim. Ndaj për ta arritur këtë objektiv serioz u desh shumë punë dhe djersë. Fillimisht na u desh që të përpunohej opinioni publik i brendshëm, por edhe të bindnim qytetarët e vendeve të aleancës të bindeshin se Shqipëria ishte e vlefshme dhe e gatshme për t'u pranuar në gjirin e NATO-s. Deri athere në Shqipëri, ashtu si në gjithë vendet e lindjes, NATO njihejh si një gogol i iumperializmit amerikan, gjë që sihte rrënjosur thellë nga propoganda e kohës. Kështu krahas politikës shtetërore, një pjesë e shoqërisë civile u organizua në SHSHA(Shoqata Shqiptare e Atlantikut). Kjo shoqatë, e themeluar në vitin 1994, luajti një rol tepër të madh në sqarimin e shqiptarëve mbi vlerat e aleancës. Ajo gjithashtu forcoi kontaktet ndërkombëtare me shoqatat simotra që ekzistonin në vendet anëtare të aleancës, nëpërmjet të cilave u bë e mundur që vendi ynë të njihej nga afër nga një masë e gjërë të popullsisë së

tyre. Ndërkoh shoqata hyri edhe në lidhje direkte me strukturat e NATO-s në Bruksel dhe në Monzë. Çdo vit ne kemi organizuar konferenca ndërkombëtare mbi problemet të rëndësishme të sigurisë rajonale dhe europiane, në të cilën merrnin pjesë të ftuar të shumtë nga vendet mike si dhe përfaqësues zyrtarë të aleancës. Këto aktivitete kishin impakt të mirë edhe në median tonë vendase. Kështu hap pas hapi Shqipëria u bë pjesë e Partneritetit për Paqe. Në këtë kuadër forcat tona të armatosura morën pjesë në stërvitje të përbashkëta në vendin tonë si dhe jashtë saj, duke përvetësuar kështu hap pas hapi standartet e NATO-s si dhe duke ju përshtatur kërkesave të saj. Në mënyrë të veçantë kërkohej aplikimi i kontrollit civil mbi ushtrinë, që ishte e re për ne si dhe forcimi i demokracisë në të gjitha aspektet e saj. Kështu në të gjitha proçeset zgjedhore, në vëzhgimin dhe vlerësimin e tyre, krahas përfaqësuesve të institucioneve ndërkombëtare, merrnin pjesë edhe përfaqësues të aleancës. Si përfundim i gjithë kësaj pune të madhe dhe të zgjatur në kohë, Shqipëria u anëtarsua në NATO në vitin 2008.

Sot, përveç vendit tonë, disa vende të Ballkanit janë anëtare të NATO-s si: Bullgaria, Rumania, Kroacia, Sllovenia. Pa folur për Greqinë dhe Turqinë, të cilat janë anëtare të hershme të aleancës. Janë në procedurat e anëtarësimit, të përfshira në programin e partneritetit për paqe: Maqedonia e Mali i Zi. Po punojnë në këtë drejtim si Republika e Kosovës ashtu edhe ajo e Bosnie Hercegovinës. Megjithëse ende qëndron larg Serbia, prap se prap ajo tani ka të tjera marrëdhënie me Naton. Pra shohim që NATO ka hyrë në Ballkan përfundimisht dhe sot përfaqëson një mburojë të veçantë dhe shumë të rëndësishme për ruajtjen e paqes, mirëkuptimit dhe forcimin e demokracisë, luftës ndaj terrorizmit, trafiqeve dhe në tërësi për ruatjen e mbrojtjen e stabilitetit në rajon. Gjithashtu ajo po punon fort dhe po ndikon për pajtimin e popujve të rajonit tonë, duke forcuar së tepërmi mirëkuptimin dhe fqinjësinë e mirë.

Ushtarakët e vendeve të Ballkanit, anëtare të NATO-s si dhe ato të përfshira në kuadrin e Partneritetit për Paqe, kanë dhënë e po japin kontributin e tyre në kuadrin e aleancës si në Afganistan, Irak dhe në vende të tjera. Në Afganistan, fillimisht kontributin e kanë dhënë në përbërje të ISAF, me forca të përbashkëta dhe me ekipe mjeksore, më vonë në përbërje të forcave të Aleancës së Atlantikut. Në Kabul psh, trupat shqiptare vepronin sëbashku me ato maqedonase, në të njëjtin repart në kuadrin e ISAF. Kur në vitin 2004 vizitova trupat tona në Afganistan, takova edhe me disa ushtarë shqiptarë të kontigjentit të ushtrisë maqedonase. Ky ishte jo vetëm një kontribut direkt i vendeve të Ballkanit Perëndimor në interes të NATO-s, por edhe një mundësi për kontribut të përbashkët, në vendosjen dhe mbrojtjen e paqes në rajone të ndryshme të trazuara të botës. Këto përvoja treguan se, pavarësisht nga problemet historike që kemi pasur midis njëri tjetrit, bashkëpunimi për interesa madhore të përbashkëta është i mundur. Pra NATO nuk është thjesht një organizatë politiko ushtarake që ka qenë dhe është e gatshme të kontribuojë për të mbrojtur paqen, duke ndërhyrë ushtarakisht, por njëkohësishtajo ndihmon direkt në rritjen e mirëkuptimit dhe bashkëpunimit midis vendeve dhe popujve, pavarësisht nga problemet që kanë pasur në të kaluarën.

Sipas artikullit 5 të statutit të NATO-s, nëse një nga vendet anëtare të aleancës rrezikohet ose sulmohet ushtarakisht, atëherë aleanca ndërmerr veprime ushtarake për të mbrojtur anëtarin e saj. Por aleanca vepron edhe për të ndërhyrë në rajone ku ka turbullira ose rreziqe të demokracisë, sikurse ka qenë rasti në Afganistan e në vende të tjera afrikane, sipas vendimeve që merr OKB-ja.
Në kohën e sotme, sikurse është rasti i Ukrainës, për të përballuar agresionin rus, ose rreziqet e mundshme për vendet anëtare të NATO-s që janë në kufi me Rusinë, sikurse vendet Balltike, Polonia, Sllovakia, Hungaria, Rumania, ku ka minoritete ruse, të cilët sipas strategjisë ruse ata në rast nevoje mund të ndërhyjnë për mbrojtjen e këtyre minoriteteve, është e qartë që aleanca do të marrë masat e duhura mbrojtëse. Praktikisht në ato zona ka filluar transportimi i teknikës luftarake si dhe afrimi i reparteve speciale dhe instruktive, për stërvitjen e njësive ushtarake të vendeve që përmenda, sipas nevojës së tyre. Në të njejtën kohë po krijohen dhe përgatiten njësi të task forcës ushtarake në Gjermani, si anëtari më i madh dhe më i rëndësishëm i NATO-s në Europë.

Pra megjithë ndryshimet e situatës europiane dhe asaj botërore, NATO mbetet aleanca politiko ushtarake më e qëndrueshme që ka njohur deri tani historia e aleancave të mëdha. Jo vetëm kaq, por kjo aleancë deri tani ka treguar më së miri efikasitetin e saj të plotë në mbrojtjen e parimeve themelore të demokracisë, të paqes dhe drejtësisë në marrëdhëniet midis vëndeve dhe popujve. Ajo ka

treguar se në kohën e sotme vetëm një bashkim dhe përkushtim i tillë politiko ushtarak mund të bëhet garanti më serioz për të parandaluar rreziqet e mundshme, që mund t'i kanosen paqes europiane dhe asaj botërore. Shembujt që përmenda më sipër si në Kosovë, Afganistan e të tjera e tregojnë këtë më së miri. Pra, aderimi në NATO është një garanci e madhe për paqen në rajonin tonë si dhe një mundësi më e madhe reale për të siguruar një ecuri dhe përparim të vazhdueshëm ekonomik dhe aderim në strukturat e BE-së. Pjesëmarrja në NATO është një garanci dhe një udhërrëfyes për të vazhduar betejën jo të lehtë të përfshirjes të vendeve tona në BE. Vetëm pasi vendet tona të jenë përfshirë në gjirin e BE-së dhe në NATO, mund të themi se Ballkani do të pushoi së qeni "Fuçi Baruti", që sikurse e citova në fillim ende vazhdon të jetë.

Dhe pavarësisht situatave me ulje ngritje në rajonin tonë, puna këmbëngulëse e BE-së, mbështetur fuqimisht nga prezenca e trupave të NATO-s, po arrin përparime në qetësimin dhe mirëkuptimin midis shqiptarëve dhe serbëve në Kosovë. Janë të njohura vështirësitë që qëndrojnë në rrugën e zbutjes së kontradiktave dhe përplasjeve të vjetra dhe të reja midis tyre, por pavarësisht ecjes së ngadaltë, në vazhdimësi diçka e vlefshme po arrihet. Dhe nuk është se kjo ndodh vetëm në takimet politike të ndërsjellta në Bruksel, por edhe shoqërija civile po i mbështet këto veprime pozitive. Kështu u përgatit dhe po jepet me sukses shaqja teatrale Romeo dhe Zhulieta, me një trupë aktorësh të përzier serbë dhe shqiptarë. Gjëra këto që ishin të paimagjinueshme pak kohë përpara. Pavarësisht ngjarjeve të shëmtuara në stadiumin e Beogradit, gjatë ndeshjes së futbollit midis skuadrave të Shqipërisë dhe Serbisë, ndeshja e kthimit do të bëhet dhe gjakrat do të zbuten, sporti do ta arrijë rezultatin e tij, sikurse dhe e ka qëllimin.

Perspektiva e një Ballkani të qetë dhe në paqe nuk mund të jetë e largët, popujt kërkojnë paqe për të punuar dhe jetuar dhe kjo do të arrihet. Pikërisht strukturat politiko ushtarke si të NATO-s janë shumë të dobishme dhe të pëlqyeshme, në shërbim të këtij qëllimi.
Këto ishin disa mendime të përmbledhura mbi NATO-n, integrimin në tërësi dhe ndikimi i saj pozitiv në rajonin tonë.

ARMAND KRASNIQI - THE CHALLENGES IN EFFECTIVE IMPLEMENTATION OF THE LEGISLATION TO PROTECT THE DOMESTIC ECONOMY BY THE SYNCHRONIZATION OF INTERNATIONAL AGREEMENTS AND POLITICAL WILL. THE CASE OF KOSOVA IN RELATION TO CEFTA

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Abstract

Eastern European countries seems that with difficulties are administrating the transition social and economic transition process even after more than one decade of conflicts and severe wars. The reasons of this process not only are numerous but their continued presence has not stopped. The identification, studding and the prevention is crucial to exit from this situation. One of the problems requiring an urgent solution is the implementation of the legislation to protect the domestic economy without violating the principles of market economy and policy synchronization with bilateral and multilateral agreements in this sphere. All countries now have created a modern legislative framework adequate and modern with the relevant institutions to implement the protection measures of the domestic economy. However, the implementation is almost impossible because of the lack of will and political decisions. Political perceptions, which are rooted in the problematic past from the laying of the former SFRY, some countries hesitate to implement the full international agreements and for this reason the eventual implementation of protective measures for the domestic trade automatically takes connotation of political rivalry. Concrete case to argue our claim is CEFTA agreement. Although CEFTA is designed to integrate in the economic plan the Balkans, for Kosovo came out as an inappropriate and harmful document. This is because especially Serbia and Bosnia and Herzegovina abstained from its application after declaration of independence of Kosova. This has caused damages to the domestic economy and every day more is thought to get out of this agreement. This situation carries with it numerous risks and irreparable damages.

Keywords: legislation, trade, antidumping, CEFTA, agreement.

Introduction

For more than a decade, Kosovo has had a very high negative balance of trade. Continuously the exports have been low, while imports have been very large. With the aim to affirm the principles of market economy and economic development with modern liberal basis, in scientific and academic field, are treated issues like reducing the tariff and non tariff barriers in the area of international business relation. This proactive approach is not of the same dynamic and dimension in cases when is to be justified the implementation of protective mechanisms for domestic economy. Kosova as one of the smallest countries as for the size as well for its economic impact in the region very often is damaged precisely by effects of the implementation of these economic policies. With all the problems and difficulties the country is facing in this process it must be mentioned the negative effects of global crisis that directly has affected the economy. Overall and after the end of the war in 1999, governance of UNMIK and declaration of the independence of the Republic of Kosova we can argue that the political conflicts not only are not diminished but they also have a dominant effect on international agreements. In fact, has been created the perception that one the factors for this grave economical situation in Kosova is the lack of the legislation, respectively non-implementation of the same. Let's consider that this thesis does not stand. In our country, at least so far, exist the legislation that with commodity regulates all the economic life areas but the essential of the problems lies in the lack of a program respectively an economic analyzed strategy, designed and elaborated according to the concept called by Drucker as SMART. The lack of such approach, the lack of such documents and

priorities to determine which will be the branch or branches of the economy that must be considered supportive for local economic development, not only brings a difficult economic position but there is no possibility to implement the legislation. The State and the modern right have the function to regulate the economic life by creating conditions and circumstances to implement the economic policies for liberalization and integration. The duty of governmental institutions is not only the integration process and the liberalization with no measurable criteria of the economy but in parallel also the obligation to undertake the effective and efficient measures to protect the economy by using mechanisms and permitted standards to save the national economic identity toward the storms and effects of the globalization. The data from the Foreign Trade in Kosova show a higher trade deficit for January 2015 of € 110.8 million compared to the same period of 2014 with € 109.4 million. CEFTA is created to eliminate the obstacles for the reciprocal trade between Member States, to create favourable conditions to develop the business, to encourage trade and economic cooperation, to intensify the economic relations for mutual benefits and to contribute in the integration process in EU, to contribute in the development of trade relations with EU and for the integration of multilateral trade system. But now the question arises if this agreement's conditions are fulfilled or not? All the data give a negative result. Based on these data another question arises: should we react to improve the situation? Of course yes. The only model to be composed is the reconsideration of feasibility study of the national economy, creation of development policies based to the analyse of the FS and at the end the review , the completion and drafting a legislative framework to implement these policies. Meanwhile, in the political cooperation aspect a mechanism must be found that in maximum will eliminate the politic interferences. Therefore this process must be considered as a process of measures synchronization to develop and protect the domestic economy.

Legislative framework to protect the domestic economy

Kosovo is still in the process to elaborate its internal legislation for foreign trade in way to adapt this legislation with that of the European Union. In 2011 a new law has been designed for the Foreign Trade. This act is evaluated to be crucial and determine the principles that regulate the relations of the foreign trade of Kosovo. In the last two or three years Kosovo has completed the legal framework for the compensation measures/ reserve measures in trade. However, the Law for Antidumping Measures and Countervailing measures are not yet completely in line with international best practices. Below we will present a summary of the relevant local legislative framework for the trade area.

The Juridical act with a basic importance to regulate the local economy in relation with the international elements is the law for the foreign trade Nr. 04/L-048. The Law for Foreign trade is a general term that determines the rules for the transactions of imports and exports, the import and the export of the technology and the international trade in goods and services. This act determines the conditions to manage and control the foreign trade in the country, as well as determines the general rules to carry out the foreign trade between persons inside or outside the territory of Kosova in compliance with the best international practices.
According to the dispositions, the request or the authorisation to establish protection measures is regulated in that way that will not be in contradiction with the Article 4 of this law. If a provision of the present law specifically requires or authorizes the imposition of a restrictive measure the Government shall or may, as appropriate, issue a normative act establishing such restrictive measure; provided, however, that each such restrictive measure so established must comply with all of the following criteria: It must be clearly authorized by and consistent with the concerned provision of the present law; It must be clearly related to and clearly necessary for the achievement of the purpose specified in such provision; Its type and scope must be limited to the minimum necessary to achieve such purpose; Its implementation shall be done in the manner that creates the least possible interference with and imposes the least possible burden on external trade activity and the general freedom of economic activity; It shall not be contrary to any international agreement that is binding on Kosovo (Law on Foreign Trade, Art.5). The law for foreign trade has a special and important position within the legislative framework that regulates the economy. Its formal-juridical importance is materialized based to the object and the aim of legal regulation of this matter.

In global trends the economic policies are oriented toward removing the customs tariffs and non-tariff barriers in support of increasing the economic integration, in trade and in competition field. As such these are very important means and instruments. With antidumping and countervailing measures is meant the legal possibility to put limitation in the international trade, replacing of existing limitation or the creation of additional barriers. By this Law are set out the rules on procedures for imposition of anti-dumping measures to the imports, which are dumping objects, and countervailing measures to the subsided imports, in order to protect the domestic Kosovo industry and interests of the Republic of Kosovo (Law on anti dumping and countervailing). This Law applies to the anti-dumping and countervailing measures, which is dumped or benefits from subsidies of the government or a public authority of the exporting country or the country of origin provided that the imports of the product cause or threaten to cause material injury to the domestic industry (Law on anti dumping and countervailing, Art. 2). Anti-dumping and/or countervailing measures shall be imposed only after respecting the relevant procedures and carrying out the investigations in accordance with the requirements specified in this Law (Anti dumping and countervailing Law, Art. 3)

Customs and Excise Code of Kosova is one of the most important acts within the legislative framework for the trade and costumes administration. As such is an important mechanism to collect the revenues (fiscal administration), facilitation the commerce and attraction of the investments in the country. The Code is in compliance with the Customs Code of the European Union of 1992. This is very important, because the rapprochement with the EU is a priority of Kosova and this requires facilitating and harmonising the internal laws of Kosova with the legislation of EU. There are plans to change and amend laws in way to be in compliance with the plan of EU for the custom ('EU Customs Blueprint'1) of 2008, or with the new versions of EU plan for Customs.

Law No.04/L-047 on Safeguard Measures on Imports sets out the principles and procedures relating to application of safeguard measures in cases when a product is imported in Kosovo in such increased quantities that cause injury or threat of serious injury to domestic producers of like or identical goods. This is considered to be in full compliance with the WTO agreements and directives, respectively EU and CEFTA provisions, except the deadline for law implementation. The agreement of WTO for safeguard measures determines that the measures should be initially implemented in four years, and if the review determines that the domestic industry damages by the by rapid growth of imports is still on going, than can be continued for other four years. The Law on Safeguard Measures in imports determines a deadline of eight years for the implementation of the safeguard measures. This is in contradiction with provisions of CEFTA which are even more restrictive. Its signatory States agreed to implement protective measures for one year, and if the damage continues, then for an additional year. The legislation for quality infrastructure the Progress Reports of EU for 2009 and 2010 recognize that Kosova progressed in achieving the European standards for the quality infrastructure and are relevant for trade area, thus those of the accreditation, standardization and metrology. The progress achieved deals with approved legislation in these three fields. The activity of mechanisms for the quality infrastructure in Kosovo is based in these laws: Law for Standardization Nr. 2009/03/L. Law for Metrology nr. 2010/03-L-203. Law for Precious Metals Products nr.2004/28. And the Law for Accreditation nr. 2005/02 - L 43 nr. 2011/04 - L - 007. The department of Industry is another important part of the infrastructure of the quality in Kosovo. (see the discussion below), especially the office for quality infrastructure. The last one is responsible to issue technical rules. The activities are based to the law for the General Security of the Products nr. 04/L-078 and the law for Technical Requirements for Products and the Evaluation of Conformity nr. 04/L-039.

Negative effects and trade deficit with CEFTA

Kosova is part of CEFTA since 20072. The agreement of CEFTA in that time has been signed by UNMIK, in the quality of the only authority that had the right to represent Kosova in relation with foreign countries. Fourteen months after signing the agreement with CEFTA, Kosova declared its

[1] Për më shumë shih: file: ///C:/Users/user/Downloads/5._eu_customs_blueprints.pdf
[2] UNMIK signed the agreement with CEFTA-s on behalf of Kosova on 19 Decembre 2006. On 26 July 2007 Kosova became a full member of CEFTA.

independence. After the declaration of independence, the institutions failed to articulate a clear attitude regarding the representation of Kosova in international agreements. Seven years after the membership of Kosova in CEFTA and after five years of independence declaration, the kosovar opinion and the businesses representatives are divided in those who think that Kosova must stay in CEFTA and those who think that Kosova should leave CEFTA (GAP Institute).
Realistically CEFTA is one of the first multilateral agreements of regional kind that Kosova has inherited from UNMIK and as such is challenging for the institutions of Kosova. Without any doubt as a special regional agreement is considered an excellent possibility to open the doors toward the regional and European integration. But from the Kosovo entrance in contractual relation with other countries has damaged largely the local businesses. According to the evaluation of the professional institutions the membership in CEFTA is likely to be an unfair step. According to the results of this membership there are millions of looses, discouraged investors and many conflict situation (Gap Institute, 2014. The evaluation given much earlier recommended the institutions to take the necessary measures to put quotes for the imported products, the use of all the legal means within CEFTA to resolve the agreement with other countries in case there are not alternatives, Kosova should leave CEFTA and do a bilateral agreement with each country separately. The trade deficit in Kosova is still high and this deficit is increased after the entrance of Kosova in CEFTA.

Measures to be taken to synchronize the legislative framework for economic policy

The general socio – economic situation in Kosova is alarming. The unemployment in growth, the high scale of informal economy, the lack of foreign investments, the impossibility to protect the economy and domestic products are only some factors to be improved. For this reason, the creation of an appropriate institutional environment (including the institutions for trade or have to do with the trade) is an essential factor for the success or failure of policies that aim to increase the competition of domestic industry. The institutions dealing with trade must pay attention to the following issues. There is an urgent need for a vital development of institutional, human and technical capacities that deal with the trade. The gap should be closed through the better use of existing resources, by adding capabilities to existing resources, employing young people and through foreign aid and long-term.

The further progression in approximation of legislation have to deal with the trade is necessary. Also the administrative capacities, human resources must be used to accomplish the legal framework and to implement the existing dispositions. Coordination mechanisms in Kosovo trade system should be strengthened further. Probably in this area is still needed the outside help to make sustainable these processes. A new approach also is needed to enhance the international competitiveness of domestic industries. This approach should be based on an important premise: trade policy actions should relate to Kosovo's development priorities, such as poverty reduction, job creation, and improving welfare for citizens. The comprehensive new approach should be a mix of the following mechanisms: further liberalization of trade and caring to create market access for local producers. In addition, should make more effective the existing arrangements for trade liberalization, which is part of Kosovo (such as CEFTA). At the same time, Kosovo must complete legislation that is consistent with WTO principles regarding the reserve measures to target illegal activities or large flows of imports from CEFTA member states. The specific sectional policies to increase competitiveness of domestic industries and production companies should be considered. Kosovo's trade policies offered in 2010 in the form of recommendations regarding the development of the export base of the industrial sector and agriculture should be reviewed on the basis of new circumstances. These proposals must be fit and should be included in use through regulation of instruments and enforcement mechanisms. In addition, sectional policies require a coordinated approach for many commercial policies, particularly tariff policy. Any change in the tariff structure should be taken with caution, since they influence the behaviour of consumers and producers, as well as affect government revenue. Changes in the level of fees should be aimed at maintaining the average tariff rate across the entire spectrum, in order to avoid endangering government revenues. Finally, the new approach should rely on incomes from FDI, an important source of competition, transfers of knowledge and indirect impact. Trade policy goes through a particular cycle policy, which means their review and redrafting, then evaluating the instruments proposed (ex-ante evaluation). Further the evaluated policies, adjusted and ex-post reconsidered must be implemented. This process should happen constantly. In order for this process to

function properly, a vital factor is the availability and quality of data for international trade. Data and statistics are essential for decision-making that is based on evidence. Any proposal made above, should be filtered through the lens of modelling and policy analysis. The analysis should provide answers to possible effects of trade policies can have on consumers, manufacturers and government revenue, as well as poverty reduction, job creation, economic growth and general welfare.

Conclusions

Kosovo implements a liberal market regime. Foreign trade has been liberalized since 2000 and follows the standards set by the European Union and the World Trade Organization. Although Kosovo is not yet a WTO member from 2000 applies the WTO regime on import licensing procedure. Although Kosovo has a complete legislative framework for regulating and protecting the local economy appears that they are ineffective and unenforceable due to a chronic trade deficit. Strategic recommendations to address these challenges identified have included and adjusted in several steps. The competent institutions calmly and without the influence of logic for a liberal economy, have to tackle the main challenges that were mentioned in the paper. By addressing this issue I conclude that the creation of a proper institutional environment dealing with trade is an essential factor for the success or failure of policies aimed to increase the competitiveness of local industries. Further progress of the legislative framework that deals with foreign trade is necessary. Administrative capacity and human expertise should be used to supplement the legal framework and to implement existing provisions. Coordination mechanisms in the system of protection of Kosovo's economy should be strengthened further. Apparently, in this area is still needed the foreign assistance to make sustainable these processes. This approach should be based on a premise of synchronism such as policy actions on the economy should be linked to national development priorities such as poverty reduction, job creation, and improving the welfare of citizens. Comprehensive new approach should be a composition mechanisms in the field of further liberalization of trade but with careful to create greater access to the market for domestic producers. Regarding relations with CEFTA, in certain cases, is recommended the imposition of provisional measures Tech Rebalancing Sebum Control. This would rebalance temporary losses incurred due to the unfavourable position of the country in this agreement. Also, it is recommended the application of quotas for certain products that is not contrary to the legislation. The government should establish quotas for the protection of some local products, which will provide and will make these products more competitive in the local market, versus imported. Local competent institutions should be more effective in the area of the existing arrangements for trade liberalization, which part is Kosova. At the same time, Kosovo must complete the legislative framework in conformity with WTO principles regarding the reserve measures. This increases the competitiveness of domestic industries and the production of Companies. Still there is a need for a comprehensive approach to trade policy process so that these go through a special process of policy. Initially through the development, the assessment of policy instruments that are proposed for the final implementation this should finally be synchronized to the effective legislative framework. Such a process should happen constantly

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NATAŠA STANOJEVIĆ, SLOBODAN KOTLICA - IMPACT OF FOREIGN DIRECT INVESTMENT ON RESTRUCTURING THE SOUTH EAST EUROPE ECONOMIES

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Abstract

This paper considers the role of FDI and its contribution to the transformation of economies in South Eastern Europe and particularly in Serbia. Information technology and activities are considered to be a key factor for necessary revitalization and modernization of transition countries economic structure at the beginning of the 21st century. Since the SEE countries have a significant deficiency of inner capacities, FDI is seen as the most important means of providing financial capital, technologies, organizational and managerial practices and access to foreign capital markets.
Respecting to great disparity between potential and realized effects of FDI on the development of new model of economy in the SEE countries, this paper explores the main sources of failure. The first is the undersize of FDI, the second refers to its type, with predominating acquisitions, especially privatizations with less sophisticated technology transfers and the third, sectoral distribution, primarily in non-tradable services and goods, so that FDI could not have contributed much to industrial improvement or to the promotion of competitiveness and exports. Serbian resources in ICT sector, as the only one with capacity to influence successful transition from an industrial towards the information society and economy are analyzed. Additional attention to this sector and measures for its promotion are recommended.

Keywords: foreign direct investment, the SEE countries, transition, information technology, information society, techno-economic paradigm

Introduction

Technology revolution and information-technology paradigm have changed the foundations of the growth modes with the industrial activity as the base, to a new mode and civilization content, known as knowledge society or information society. The growing importance of information activities is manifested in a growing share of information sector activities in the creation of gross domestic product (GDP) and a growing number of the employed in the information sector.
In developed countries, the process information infrastructure development is very intense, strongly supported by government and a great financial share of business sector. In the transition countries of South East Europe (SEE) at the end of the 20th century the development of economic and technology characteristics is worsening. The fast and radical transformation led to the collapse of these economies, leaving them without inner capacities (financial capital, technologies, human resources, information infrastructure) for developing information society. Under such circumstances, foreign direct investment (FDI) appears as a key factor for the creation of information society and development of SEE economies. The potential and realized effects of FDI on the development of new model of economy in the SEE countries, particularly in Serbia, are explored in the paper. Since positive effects are missed, the sources of failure such a volume of FDI, its composition and type are analyzed in details.

The potential impact of FDI on the development of transition economies

The neoclassical view, which was dominant until the 1980s, consider FDI as simple movements of physical capital only driven by higher returns in the sense of the Heckscher-Ohlin framework. In

contrast to the macroeconomic treatment of FDI as simple capital flow, considering that multinational enterprises are more productive, more innovative, and are responsible for the major part of the global R&D (Research and Development) activity, inward FDI can be also viewed as some sort of exogenous but unexplained technological progress that has an effect on the host country's long-run growth rate (Hofmann 2013, 118).
In the transition countries technology level in both economic and non-economic activities is relatively low, with further lagging behind the developed countries. Foreign direct investment has a more pronounced role in the process of economic growth. The linkages between incoming FDI and endogenous economic growth are the market size, the competition, and the spillover channel.
The most straightforward effects that inward FDI (with a key role of multinational enterprises) may have on the domestic economy of transition country are:

Multinational enterprises transfer frontier technologies and superior knowledge to the affiliate firm, and information and communication technologies are key enablers of innovation and new employment opportunities.
Multinational enterprises are expected to apply organizational or managerial practices.
They take care of improving the capabilities that are necessary to cope with the superior technology (by training of personnel and/or hiring people that are more qualified than employees of domestic firms).
By using better quality inputs and a better composition of these, foreign affiliates are expected to outperform their domestic counterparts.
Multinational enterprises' affiliates are expected to benefit from the scale and scope of the entire multinational company which includes an easier access to foreign capital markets and larger market due to accessing the export markets of the entire business group.

Over the past decade, transition economies have been the fastest-growing host and home region for FDI. FDI inflows to transition economies increased by 28 per cent to reach 108 billion of dollars in 2013 (Figure 1).

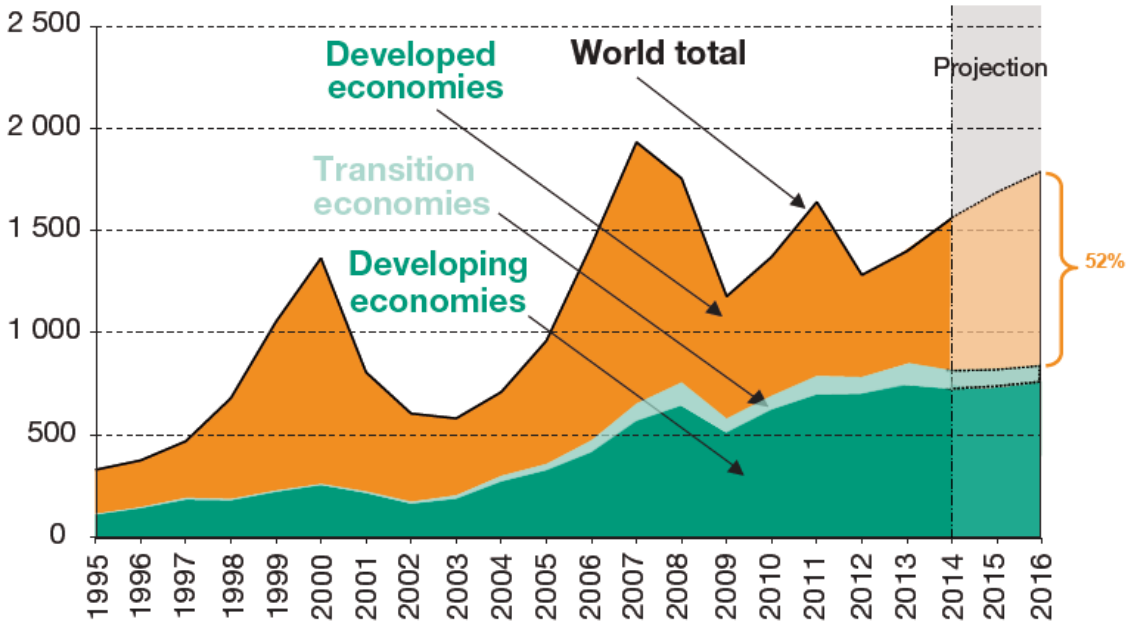

Figure 1. FDI inflows, global and by group of economies (Billions of dollars)
Source: WIR 2014, xiii.

Throughout the transition region of SEE, foreign capital has been an important supplement to domestic savings, having contributed thus greatly to financial accumulation during the past two decades. During the 2003-11 period, the ratio of FDI to gross fixed capital formation was, on average,

32 per cent for the SEE region (Estrin and Uvalic 2013, 33) and represented, on average, 62 per cent of GDP of the eight SEE countries (Estrin and Uvalic 2013, 34).
While all of theoretical arguments are good arguments for FDI being beneficial for the host country, this undifferentiated approach is unsatisfactory from the empirical point of view. The transition economies pass through three different stages, and benefits of FDI on their economies differ depending on the group that a country belongs to.

In the first phase, all the transition countries started to improve an environment for FDI inflow and the main purpose of most of the FDI was just to conquer the domestic market.
In the second phase, the FDI mostly targeted domestic market and often spread to financial and other services. The composition of FDI often did not favor industrial restructuring, since the dominant part went into services rather than into key manufacturing sectors. Just a small part of the FDI was concentrated in manufacturing industries, in order to increase production efficiency and improve economic competitiveness. The following SEE countries belong to this group: Albania, Bosnia and Herzegovina, Bulgaria, Montenegro, Serbia and FYR Macedonia.
Some of the transition countries occupy the position between the second and the third phase, with high level of FDI but without indication that they will establish information economy. These countries involve Croatia, Hungary, Poland, Romania, Bulgaria and Russia.
In the third phase, the transition countries become an important FDI destinations and the important part of their economic activities are based on innovations. Only three countries belong to this group: Czech Republic, Slovakia and Slovenia.
During the time it has become obvious that most transition countries, especially the SEE countries, will not get the third phase.

ICT sector in the SEE countries and effects of FDI

At the end of the 20th century and early 21st century the worsening of the functioning and development of economic and technology characteristics of the SEE economies took place. The technology level activities were far from the expected, lagging far behind the developed economies, but there is also a significant backwardness from comparable Central Eastern European (CEE) countries, with similar geo-economic position and the same political background.
Global Information Technology Report (GITR) published by the World Economic Forum (WEF) since 2002, monitors the ICT progress and analyses the actual state of information and communication technology (ICT) readiness in the world. The driving factors and impacts of networked readiness and ICT leveraging are identified through the Networked Readiness Index (NRI). In the GITR for 2014, among 148 economies (accounting for over 98 percent of the global GDP), the top 10 continue to be Northern European economies, the Asian Tigers, and some of the most advanced Western economies. Their performance in terms of ICT readiness, with excellent digital infrastructures and great innovation systems, allows them to score very highly both in ICT use and in innovation performances (Bilbao-Osorio, Dutta, and Lanvin, eds. 2014, xii).
Unlike these, the SEE countries suffer from insufficient development of their ICT infrastructures, weak ICT uptake, and weaknesses in their innovation systems that hinder their potential to fully enjoy the benefits to be gained from ICT (Bilbao-Osorio, Dutta, and Lanvin, eds. 2014, 20). According to GITR, made by analyzing 10 different pillars, Albania occupies the 95th place, Serbia the 80th, Bosnia and Herzegovina the 68th, FRY Macedonia the 57th, and Montenegro the 52th (Table 1).
Despite seemingly different positions, these economies are actually equally unsuccessful according to the value of analyzed parameters. On the 1-7 scale, all of them have a value around 4. To make thing worse, the smaller average value in the region has the 10th pillar relating to economic impacts of ICT sector, which is expected to be the key of the restructuring of all economies. The smaller particular values have an economic impact of 2.6 in Albania and business usage of ICT of 2.9 in Serbia (Table 1).

In every country in the SEE region, the pillars related to the inner capacity have a higher value than aggregate index in that country. Infrastructure and digital content, Affordability, Skills, Business and innovation environment have a higher value than Economic impact, Social impact and Business usage of ICT (Table 1). Pillars Affordability and Skills have a value above 5 in every country, even 6 in

some cases, which is not so far from the most developed countries, but there are no expected results (subindex Impact). Bearing that in mind, foreign direct investments, not as a source of capital, but as a way of transferring knowledge and technology, are the most important means of building information economies.

Table 1. Networked Readiness Index 2014. SEE countries

	Albania		Bosnia and Herzegovina		Montenegro		Serbia		FYR Macedonia	
	Rank (out of 148)	Value (1–7)	Rank (out of 148)	Value (1–7)	Rank (out of 148)	Value (1–7)	Rank (out of 148)	Value (1–7)	Rank (out of 148)	Value (1–7)
Networked Readiness Index 2014	95	3.7	68	4.0	52	4.3	80	3.9	57	4.2
Networked Readiness Index 2013 (out of 144)	83	3.8	78	3.8	48	4.2	87	3.7	67	3.9
Environment subindex	95	3.7	80	3.8	52	4.2	106	3.6	53	4.2
1st pillar: Political and regulatory environment	117	3.1	76	3.6	80	3.6	118	3.1	67	3.7
2nd pillar: Business and innovation environment	65	4.3	83	4.1	34	4.9	87	4.0	46	4.7
Readiness subindex	86	4.6	46	5.2	61	5.0	53	5.1	71	4.9
3rd pillar: Infrastructure and digital content	90	3.5	63	4.4	46	4.8	49	4.8	61	4.4
4th pillar: Affordability	87	5.1	30	6.1	103	4.5	67	5.4	88	5.0
5th pillar: Skills	62	5.2	57	5.3	34	5.6	63	5.2	68	5.1
Usage subindex	95	3.4	79	3.6	52	4.1	72	3.7	56	4.0
6th pillar: Individual usage	82	3.2	70	3.7	55	4.3	54	4.4	53	4.4
7th pillar: Business usage	107	3.2	92	3.4	69	3.6	133	2.9	101	3.3
8th pillar: Government usage	93	3.8	99	3.7	51	4.3	100	3.7	47	4.4
Impact subindex	108	2.9	87	3.3	47	3.8	93	3.2	55	3.7
9th pillar: Economic impacts	125	2.6	88	3.0	39	3.6	93	3.0	65	3.3
10th pillar: Social impacts	97	3.3	85	3.5	56	4.0	90	3.4	52	4.1

Source: Bilbao-Osorio, Dutta, and Lanvin, eds. 2014, 100, 115, 180, 191, 218.

The significant amount of FDI inflow in the SEE countries did not provide the base for restructuring their economies in the wanted direction. There are three main reasons of the lack of high benefits of the FDI in the SEE transition countries. The first is a small volume of FDI, especially during the first decade of transition, mostly due to the unstable political environment. For many potential foreign investors, the mere mentioning of the Balkans 'conjures up troubled images of war and conflict, rather than investment (Estrin and Uvalic 2013, 5). The second reason, strongly connected with the first, is a crucial distinction between more beneficial greenfield investment and, in the SEE countries more dominant, mergers and acquisitions (M&A). The third is the composition of FDI in the SEE, strongly

oriented to finance, banking and other services, rather than to manufacturing, and to domestic market instead of export.

Foreign investors arrived later to most SEE countries than to the CEE countries, and the inflow of FDI to this region in the 1990s was low in comparison.
Since 2000, most SEE countries have been receiving more FDI. Still, by 2010, the eight SEE countries had received only around a third of the volume of the FDI that has gone towards the countries in the CEE and the Baltics (Estrin and Uvalic 2013, 12). In the period 2008-2013 the Commonwealth Independent States (CIS) countries received 10-20 times more FDI per year than the SEE countries. In 2013 FDI in the SEE was about 3.7 billions of dollars, since in the CIS region that amount was 103.2 billions of dollars (Table 2). FDI in the SEE is incomparable with that in Russian Federation or developed countries.

Table 2. FDI inflows in transition economies (Millions of dollars)

	2008	2009	2010	2011	2012	2013
Transition economies	117 692	70 664	70 573	94 836	84 159	107 967
SEE countries	7 014	5 333	4 242	5 653	4 240	3 716
Albania	974	996	1 051	876	855	1 225
Bosnia and Herzegovina	1 002	250	406	493	366	332
Serbia	2 955	1 959	1 329	2 709	2306	1 034
Montenegro	960	1 527	760	558	620	447
FYR Macedonia	586	201	212	468	93	334
CIS	109 113	64 673	65 517	88 135	80 655	103 241

Source: WIR 2014, 208.

In addition to the small volume of FDI inflow, lack of FDI benefits in the SEE countries is the consequence of their type. Just a few of those were greenfield investments, which are otherwise assumed to be more beneficial than other forms of FDI. Greenfield is a new direct foreign investment, when a foreign enterprise starts new business activity on new location. In the political debate the question of inward FDI being beneficial reoccurs periodically when large merger and acquisition deals are put in the public eye by interest groups. Technology transferred by M&A is expected to be less sophisticated but still superior than the technology domestically available (Hofmann 2013, 121). The technology owners are usually not willing to hand over the high knowledge and technology to partners in transition countries unless they keep a high degree of control of enterprise and share of profit. Privatization represents an increase in the efficiency of enterprises, with the new owner attempting to create profitable mechanisms and seeking to maximize output while minimizing input. Since workers are 'input', investors reduce the number of employees, meaning that in the short-run privatization generates unemployment. In contrast, any greenfield investment, be it foreign or domestic creates new jobs.

In the first phase of transition, the great part of FDI inflow was the result of privatization of state-owned enterprises. During the following years FDI rapidly fell together with the decrease of the number of privatizations. The EU has the largest share of inward FDI stock in the region, with more than two thirds of the total. In the SEE economies, EU investments have also been driven by privatizations and by a combination of low production costs and the prospect of association with, or membership in the EU (WIR 2014, xxi).
Considering that the potentials of great volume privatization are almost exhausted, the possibilities for some massive FDI inflow are smaller. The decrease of the volume of FDI in transition countries is a general trend (Figure 2).

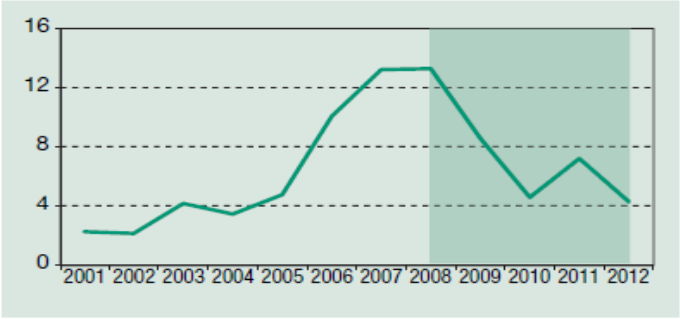

Figure 2. FDI inflows to South-East Europe, 2001–2012 (Billions of dollars)
Source: WIR 2013, 66.

Recent increase of FDI in the SEE countries, from 2.6 billion dollars in 2012 to 3.7 billion dollars in 2013, was also driven by the privatization of the remaining state-owned enterprises in the services sector (Table 2). In Albania, FDI inflows reached 1.2 billion of dollars, owing mainly to the privatization of four hydropower plants and to the acquisition of a 70 per cent share of the main oil-refining company ARMO by Heaney Assets Corporation (Azerbaijan). In Serbia, the jump in FDI can be ascribed to some major acquisitions. The private equity group KKR (United States) acquired the pay-tv and broadband group SBB/Telemach for 1 billion dollars. Abu Dhabi's Etihad Airways acquired a 49 per cent stake in Jat Airways (WIR 2014, 71).
Due to the completion of privatization processes, the value of M&A in the SEE countries is rapidly decreasing and greenfield investment will stay the main type of FDI in transition countries. In the post-privatization period, transition economies are expected to become attractive for greenfield investment. That should be the result of successful transformation and restructuring of their economies. As a volume of inward FDI, the number and value of greenfield investments also differ between groups of transition countries. Between 2002 and 2006, more than 1000 greenfield projects started in Hungary, Poland, Romania and Czech Republic (Vienna Institute for International Economic Studies, Database on FDI). Their lack is most visible in the SEE countries. The amount of greenfield investment in the SEE in 2009-2013 was about 6 billion dollars per year, while CIS, also transition countries, received about 35 billion dollars per year (Table 3).

Table 3. Value of greenfield FDI projects by destination, 2007-2013 (Millions of dollars)

Partner region/economy	2007	2008	2009	2010	2011	2012	2013
Transition economies	71 164	108 044	54 926	52 067	57 736	39 389	27 868
South-East Europe	11 399	18 167	6 192	5 241	7 464	7 568	5 851
Albania	4 454	3 505	124	68	525	288	57
Bosnia and Herzegovina	2 623	1 993	1 368	283	1 253	1 287	880
Montenegro	694	851	120	380	436	355	613
Serbia	3 131	9 196	3 816	4 040	4 295	4 459	3 721
FYR Macedonia	497	2 622	763	470	956	1 179	579
CIS	58 431	87 069	44 336	45 809	48 292	31 397	20 757

Source: WIR 2014, 221.

The sectoral distribution of FDI is likely to be important in assessing the longer-term impact of FDI on individual transition economies, such as its contribution to the promotion of exports or to the generation of new employment. The impact of the composition of FDI on the development of transition economies will be explored in details on the example of Serbia.

FDI and the restructuring of Serbian economy

Among the SEE countries Serbia is the one with the premier investment locations. A list of leading foreign investors is topped by world-class companies and banks such as FIAT, Telenor, Stada, Coca-Cola, Delhaize, Michelin, Gazprom, Bosch, Intesa Saopaolo. There are many leading global ICT firms among them: IBM, Siemens, Hewlett Packard, Intel, Telenor, Microsoft, Motorola, Ericsson,

Oracle, Google, Cisco Systems, Redhat. However, the effects of FDI on Serbian development into knowledge society and modern economy are missing.

First of all, the imports of equipment and purchase of licenses have brought technology transfer in the conditions of undeveloped market. The imported technologies were not used for achieving the higher levels of development and independence in the technology development (Kotlica 2013, 201). The high price, costs and currency disparities, as well as low and decreasing rate of technology progress gave the following results: structural inadaptability and inflexibility, inertia in transformation and development, decrease of competitiveness and inefficient use of factors from R&D complex. All these causes, helped by parallel imports of technologies, capital intensive investments and a low level of mass economy led to a low level of competitiveness of economic entities and Serbian economy as the whole with the constant tendency to its financial and reproductive breakdown (Kotlica 2013, 201).
The causes of absence of the positive impact of FDI on restructuring of Serbian economy are mostly the same as in the other SEE countries: small volume of FDI, dominance of M&A (Mergers and Acquisitions) – mostly privatization instead of greenfield investment and composition of the FDI.
Among the SEE countries Serbia has been the main destination for FDI since 2013. The most important country investors are from the European Union: the Netherlands, Switzerland, Hungary, Germany, Italy, Russian Federation, Austria, Belgium, Greece etc.

During 1990s the volume of FDI inflow was insignificant for Serbian economy. FDI inflow became larger after the political changes in September 2000, in 2003 it exceeded 1 billion dollars, and in 2006 it reached a record of 4.3 billion dollars. After the crisis, the level of FDI in Serbia declined like in other countries. From 2000 to 2013 Serbia attracted more than 22.4 billion € (Table 4).

Table 4. Inward FDI in Serbia

Year	Value of FDI (Millions €)
2013	1,087
2012	2,020
2011	2,289
2010	1,172
2009	1,869
2008	2,530
2007	3,015
2006	4,291
2005	1,332
2004	804
2003	1,229
2002	535
2001	199
2000	57
Total	22,429

Source: National Bank of Serbia

In 2011, Serbia received almost half of FDI in the SEE, and in 2012 more than a half of the total sum of FDI in the SEE (Table 2). Again, compared with other transition countries, the total amount of FDI is undersized. Almost every CIS country received more FDI than Serbia during the period 2008-2013. In 2013 FDI in Georgia and Uzbekistan had the same value as that in Serbia (about 1 billion dollars), Azerbaijan and Belarus received twice as much, Turkmenistan and Ukraine three times more, and Kazakhstan received almost nine times more FDI than Serbia (WIR 2014, 221).

The composition of FDI also adds to our understanding why Serbian foreign trade performance has not been more satisfactory. Foreign direct investments in Serbia have not been diversified and are strongly oriented toward economic sectors and activity with goods and services aimed at domestic

market and consumers. The service sectors have proven to be the most attractive, especially banking and insurance with the largest FDI inflow of 5 billion €. The service sector represented more than 70 per cent of total FDI in Serbia. Manufacturing industries held the 2nd position with 4.8 billion €, followed by wholesale, retail and repair of motor vehicles and real estate activities (Table 5).

Serbia has attracted a large part of FDI primarily in non-tradable services and goods – banking, insurance, telecommunications and real estate (Tables 5 and 6), so that FDI could not contribute much to industrial improvement or promotion of competitiveness and exports. Contrary to the small Serbian market, international market provides a higher and more elastic demand and leads toward specialization of economy in sectors whit stable growth. Unfortunately, just a few of FDI in Serbian economy are orientated to export, brownfield investment of US Steel and greenfield investment of Ball Packaging Company.

Table 5. Inward FDI in Serbia by industries (2004-2013)

Industry	Investment value (million €)
Financial intermediation	4,968
Manufacturing	4,766
Wholesale, retail and repairs	3,167
Real estate activities	2,459
Transport, storage and communication	2,456
Construction	586
Mining and quarrying	544
Agriculture, forestry and fishing	194
Other utility, social and personal services	136
Professional, scientific and technical activities	119
Accommodation and food service activities	97
Public administration and social insurance	83
Electricity, gas and water	73
Administrative and support service activities	26
Education	4

Source: SIEPA

Table 6. The largest FDI in Serbia

Company	Country	Sector	Type	Amount (millions €)
Telenor	Norway	Telecommunications	Privatization	1.513
Gazprom Neft – NIS	Russia	Energy	Privatization	947
Fiat Automobili Serbia	Italy	Automobile industry	Privatization	940
Delhaize	Belgium	Retail trade	Privatization	933
Philip Morris DIN	USA	Tobacco industry	Privatization	733
Stada	Germany	Pharmaceutical	Acquisition	650
Banca Intesa – Delta banka	Italy	Banking	Acquisition	462
Interbrew – Apatinska pivara	Belgium	Food industry	Acquisition	430
NBG	Greece	Banking	Privatization	425
Mercator	Slovenia	Retail trade	Greenfield	240
Lukoil – Beopetrol	Russia	Energy	Privatization	210
Holcim – Novi Popovac	Switzerland	Cement	Privatization	185
OTP bank	Hungary	Banking	Privatization	166
Alpha Bank – Jubanka	Greece	Banking	Privatization	152
U. S. Steel – Sartid	SAD	Steel industry	Brownfield	150
Metro Cash & Carry	Germany	Wholesale trade	Greenfield	150
OMV	Austria	Energy	Greenfield	150
Coca Cola	SAD	Food industry	Acquisition	142
Africa-Israel Corp. Tidhar	Israel	Real estate	Greenfield	120
Droga Kolinska - Grand prom.	Slovenia	Manufacturing	Greenfield	100

Source: SIEPA

The dominant types of inward FDI in Serbia are privatization and acquisition and greenfield investment (tables 5 and 6). Serbia's FDI is substantiated by internationally recognized awards for local greenfield investors. Between 2004 and 2006, greenfield projects in Serbia were awarded by the

OECD as the largest investments of this type in South East Europe. The first award was presented to Ball Packaging Europe (headquartered in USA), followed by METRO Cash & Carry (Germany), and Africa-Israel Corporation Tidhar Group for their Airport City Belgrade real estate project. However, Serbia received the biggest amount of FDI from privatization with just a few greenfield investments (Table 6).

The interesting data is that the sectors with the major contribution in Serbian GDP growth are the same dominant sectors in FDI inflow: finance, banking, telecommunication, retail trade, and other sectors relied on domestic market. The similar unfavorable composition of FDI and GDP growth indicates the necessity to establish the future Serbian economy growth on the sectors competitive on domestic market or with significant export potential.
The only sector with capacity to influence the changes of the nature of economic and social life in Serbia and successful transition from an industrial towards the information society and economy is ICT sector. Increased high technology penetration reduces production costs, increases productivity and contains further incentives to FDI (Sergi 2003, 14).
Serbian resources in ICT sector are around 1,600 ICT companies with more than 14,000 full time employees (SIEPA 2012, 6), approved in international market mainly in services such as custom application development, solution providing, software support and installation, customization applications, outsourcing etc. This sector has significant potential to become the framework of future development of Serbian economy particularly because this is one of the fastest growing sectors in Serbia. In the period before the crisis the growth of this sector was 37 per cent in 2007 and 19 per cent in 2008 (SIEPA 2012, 4), in 2010 a steady growth continued with Serbian ICT companies striving to gain new business opportunities especially in the field of outsourcing.
The development and promotion of ICT services (such as mobile internet technologies and applications development, outsourcing and data transfers) have increased significantly. The number of economic entities using and dealing with ICT in Serbia is also growing. Serbian ICT companies are already cooperating with companies from the USA, England, Ireland, Germany, Russia, the Netherlands, Canada, France, Croatia, Slovenia, Finland, Sweden and others. Export of ICT services was around 200 million dollars in 2011, and around 130 in 2012 (Table 7).

Table 7. Structure of ICT Services Export

Service	Export in millions €
Computer services	47.0
System integration	0.5
Embedded	17.0
Programming	65.0
Overall	129.5

Source: Serbian Chamber of Commerce

However, FDI in this sector is highly undersized. The most successful investment in Serbian ICT sector is made by famous global companies, but their volume is very small, one or two million dollars each, and the most successful of them employ about 40 professionals on average.
As the world market for ICT continues to evolve and outsourced software engineering and offshore systems design continue to grow, Serbia has capacities to provide an alternative to already established markets. Its advantages are a pool of intellectual capital, attractive labor costs, needed worker skills, a good communications network and a high fluency in English. All of that, with appropriate state support and promotion can inspire international companies to expand their businesses to Serbia.

Conclusions and policy implications

FDI to the SEE are driven by geographical and institutional factors, similarly to other transition economies, but there is evidence of a significant negative regional effect. In the SEE countries, and even more in Serbia, foreign investments have contributed to improving diversity of goods and services in local markets, but their impact to development of competitiveness and technological level of its economies has failed. All the features, but particularly the composition of FDI has often not

favored industrial restructuring, since the dominant part has gone into non-tradable services. Due to such a composition, FDI has not contributed much to industrial improvement or promotion of competitiveness and exports, so that Serbia and other SEE countries have not been successful in integrating into global economy.

Some of the general recommendation for increasing the FDI inflow is to improve the investment climate regarding the protection of property rights and their institution and progress in the accession process to European Union. However, it is not enough to increase the inflow of FDI in Serbian economy. What is more important is to change its` structure. It is necessary to abet transformation of competitive profile of Serbian economy from traditional industry toward dominant tendencies in techno-economic paradigm. The development of ICT should be given more attention, as the most important sector for restructuring and modernization of Serbian economy. For achieving that goal some of the particular solutions are: channeling funds towards the dynamic industries of the tertiary sector and information technology, encouraging public private synergies between universities and the business sector, supporting establishing the scientific-technology parks with the aim of creating a good base for innovations in the field of advanced technologies, including ICT.

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ILIR BINAJ - PARIMET E REVIZIONIT NË PRAKTIKËN AMERIKANE

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1. Hyrja:

Fjala revizion (revizionim) buron nga fjala latine "*revidere* "që do të thotë të shikosh përsëri dhe, në përputhje me këtë, revizioni paraqet "rishikimin dhe hulumtimin e gjendjeve dhe proceseve afariste". Në vendet ku flitet anglisht për revizionin përdoret koncepti "audit". Edhe kjo fjalë rrjedh nga fjala latine "*audite* "që do të thotë dëgjim, d.m.th. të dëgjosh dikë.

Kuptimi burimor i fjalës *auditor* në gjuhën angleze është "ai që dëgjon" dhe prej këtej rrjedh kuptimi *audit*, i cili, edhe pse është krijuar në kohë më të largëta, ka mbetur deri në ditët e sotme.

Në fakt, në vetë fillimet e zhvillimit të revizionit, revizori e ka kryer detyrën e tij nëpërmjet dëgjimit të raportit gojor të obliguesit të revizionit. Në kohët e sotme revizioni i afarizmit ka domethënie krejt tjetër, por vetë shprehja është trashëguar. Kuptimin e fjalës *revizion*[3] *(revizionim)* autorët dhe institucionet e përcaktojnë në mënyra të ndryshme.

Roli i revizionit shprehet nga:

1.mbrojtja e interesit të pronarit të kapitalit,

2.krijimi i bazës së informacionit real dhe objektiv për vendimmarrje,

3. ndihma në sigurimin e kapitalit plotësues të kapitalit të vetë pronarit me zvogëlimin e riskut të investimeve.

2.Parimet e revizionit në praktikën amerikane

Standardet, siç janë të njohura përgjithësisht, paraqesin përpunimin detaj të parimeve të caktuara.

Në praktikën amerikane zakonisht theksohen këto parime të revizionit:

parimi i etikës profesionale,

parimi i pavarësisë,

parimi i profesionalizmit dhe kompetencës,

parimi i dokumentimit,

[3] Në fjalorin "Gjuha e sotme shqipe" jepet ky shpjegim: Revizion: 1. Shqyrtimi dhe kontrollimi i veprimtarisë ekonomike e financiare të një ndërmarrjeje ose të një punonjësi për të gjetur dhe për të mënjanuar të metat. *Revizioni financiar. Organet (grupet) e revizionit. Ushtroj revizion. Shkoj për revizion.* 2. Rishikim i diçkaje për të bërë ndryshimet ose ndreqjet e nevojshme. Revizioni i vendimeve.

parimi i raportimit korrekt.

Në bazë të këtyre parimeve janë zhvilluar standardet amerikane të revizionit përgjithësisht të pranuara (*Generally Accepted Auditing Standards – GAAS*).

Gjithsej janë dhjetë standarde, por udhëzimet për zbatimin e këtyre standardeve ndahen në tre grupe:

Standardet e përgjithshme (*General Standards*),

Standardet për kryerjen e revizionit (*Field Work Standards*), dhe

Standardet e raportimit (*Reporting Standards*).

Në standardet ndërkombëtare të revizionit (*International Standards on Auditing*) problematika e parimeve të revizionit trajtohet në MRevS 200, ku evidentohet qëllimi dhe parimet bazë të revizionit të raporteve financiare. Në standardin e përmendur, në kontekstin e parimeve themelore të revizionit, trajtohet kjo problematikë:

Standardet ndërkombëtare të revizionit

pavarësia,

ndershmëria,

objektiviteti,

kompetenca profesionale dhe kujdesi i vazhdueshëm,

besueshmëria,

sjellja profesionale,

standardet teknike.

Parimet e kontrollit

Revizioni, pikë së pari, duhet të hulumtoje se si janë zbatuar parimet e

kontrollit:

të befasisë,

të njëkohshmërisë,

të vijueshmërisë,

ndarja e operativës prej evidencës

përcaktimi i përgjegjësive.

3.Parimet specifike

Ndërsa në punët e mëtejshme revizorët duhet të udhëhiqen nga parimet specifike, të cilat janë:

parimi i ligjshmërisë,

parimi i praktikës më të mirë,

parimi i kontrolleve të dokumentuara.

Ka edhe qëndrime te tjera ku në parime të kontrollit radhiten edhe saktësia, racionaliteti, kryerja në kohë, mënyra selektive, parimi i pavarësisë dhe punës së pavarur etj.

Nuk ka nevojë të listohet numri i madh i parimeve, siç veprohet shpeshherë, por duhet përqendruar vetëm në ato parime të cilat paraqesin vërtetë bazën e revizionit dhe sigurojnë zhvillimin cilësor të tij.

4.Parimet bazë të revizionit

Në bazë të trajtimit të thelbit të revizionit, rolit dhe rëndësisë së tij në kushtet bashkëkohore të ekonomisë së tregut dhe në bazë të kushteve tona mund të konkludohet se parimet bazë të revizionit do të ishin:

parimi i ligjshmërisë,

parimi i etikës profesionale,

parimi i punës së pavarur,

parimi i profesionalizmit dhe kompetencës,

parimi i përgjegjësisë,

parimi i dokumentimit (mbledhja e dëshmive),

parimi i raportimit korrekt.

Në krahasim me parimet e përmendura më parë, në kontestin e standardeve përgjithësisht të pranuara dhe Standardeve ndërkombëtare të revizionit, janë shtuar edhe parimi i ligjshmërisë dhe parimi i përgjegjësisë.

Çështja e përgjegjësisë konsiderohet posaçërisht e rëndësishme në revizion. Në ekonomitë e zhvilluara të tregut kjo çështje nuk theksohet në mënyrë të posaçme, sepse thjeshtë kjo nënkuptohet.

Megjithatë, në kushtet tona, për shkaqe të njohura, kjo çështje ka nevojë të theksohet në mënyrë të qartë, prandaj duhet të flitet për zbatimin rigoroz të parimit të përgjegjësisë në revizion.

Parimi i ligjshmërisë kërkon:

t'u përmbahet dispozitave ligjore,

vlerësimin e përputhshmërisë së afarizmit me raportet financiare me dispozitat ligjore në fuqi,

respektimin e normave të mirësjelljes të përcaktuara nga strukturat organizative kompetente (për shembull, Shoqata e revizorëve).

Specifika e revizionit të brendshëm qëndron në atë se ai duhet të respektojë edhe aktet normative të brendshme, natyrisht nëse këto akte nuk janë në kundërshtim me dispozitat ligjore në fuqi dhe rregullat e afarizmit.

Parimi i etikës profesionale

Nënkupton se revizori në punën dhe sjellen e tij duhet t'u përmbahet rregullave të caktuara të mirësjelljes. Për këtë qëllim formulohen Kode kombëtare të etikës profesionale, të cilat paraqesin rregullat detyruese të mirësjelljes nga të gjithë revizorët.

Në rastet kur firmat e revizionit ose revizorët nuk u përmbahen rregullave të mirësjelljes në Kod, parashtrohet çështja e përgjegjësisë dhe, pas kësaj, zakonisht pasojnë sanksione shumë të ashpra.

Çështjet bazë të cilat shqyrtohen në Kodin e theksuar janë:

përgjegjësia,

interesi publik,

ndershmëria,

objektiviteti,

puna e pavarur dhe kompetenca.

Rregullat e përfshira në këtë Kod paraqesin obligim për të gjithë revizorët dhe në rast të shmangies nga këto rregulla, ngrihet procedura disiplinore.

Parimi i punës së pavarur

Ky parim kërkon që revizori në kryerjen e punës së tij duhet të jetë i pavarur dhe të kryejë punën e tij plotësisht në mënyrë të pavarur, prandaj kërkohet pavarësi në:

planifikimin (programimin) e revizionit.

vetë procedurën e hulumtimit dhe zbatimit të revizionit.

dhënin e gjykimit nga revizori.

Revizori duhet të jetë plotësisht i pavarur në planifikimin e procedurës së revizionit dhe nuk duhet të ndikohet nga kërkesat e menaxhimit të ndërmarrjes, të cilët shpesh kanë qëllim kufizimin e revizionit për t'i orientuar vetëm në disa çështje të caktuara të afarizmit.

Gjatë punës së tij revizori duhet të ketë në dispozicion gjithë dokumentacionin e nevojshëm dhe, në këtë kontekst, duhet të bashkëpunojë me menaxhimin e ndërmarrjes, por duke bërë kujdes se shpeshherë menaxhimi nuk i vlerëson kërkesat e revizorëve për informacionet e nevojshme dhe, për rrjedhojë, këta të fundit mund të vihen në varësi të menaxhimit të ndërmarrjes, gjë që kufizon punën e tyre të pavarur.

Në shprehjen e gjykimit revizori duhet të synojë raportimin e plotë dhe korrekt pavarësisht se kjo, jo gjithmonë, është në pajtim me menaxhimin e ndërmarrjes.

Parimi i profesionalizmit dhe kompetencës

Ky parim kërkon që revizori, përveç normave etike dhe morale të caktuara, duhet të ketë:

-kualifikim profesional dhe njohuri të cilat i mundësojnë kryerjen cilësore të punëve,

-përvojë dhe eksperiencë praktike.

Nëse plotësohen këto kushte atëherë kandidatët për revizorë mund t'i nënshtrohen provimit profesional pas së cilit merr titullim "revizor i autorizuar"dhe certifikatën përkatëse.

Sipas rregullit bëhet fjalë për një provim rigoroz që më së shpeshti, zbatohet me ndërhyrjen e instituteve nacionale të revizionit të shteteve përkatëse (në kushtet tona, nga viti 2004 e në vijim e provimin e organizon SHKK. Kandidatët që i nënshtrohen këtij provimi duhet të kenë fakultetin e kryer, t'i respektojnë parimet e caktuara etike dhe praktike profesionale.

Parimi i përgjegjësisë

Ky parim i ngarkon revizorët me përgjegjësi konkrete të rast të vërtetimit për lëshime të bëra ndaj ndërmarrjes. Përveç kësaj, shumë i rëndësishëm është fakti se edhe revizorët janë përgjegjës për punën e tyre.

Në këtë kontekst mund të ndahet:

përgjegjësia e revizionit të brendshëm,

përgjegjësia e revizionit të jashtëm.

Përgjegjësia e revizionit të brendshëm trajtohet në kontekstin e qeverisjes së afarizmit dhe zhvillimit të ndërmarrjes. Në të vërtetë, qëllimi i revizionit të brendshëm është sigurimi i informacioneve të sakta, të cilat konsiderohen shumë të nevojshme për menaxhimin e ndërmarrjes dhe pikërisht për këtë arsye revizioni i brendshëm quhet shpesh "dorë e zgjatur e menaxhimit".

Përgjegjësia e revizionit të brendshëm shpesh trajtohet në rastet kur konstatohet se dikush ka pasuar humbje, si rezultat i mbështetjes në gjykimin e revizorit.

Në këto raste ekziston mundësia e kompensimit të dëmit nëse vërtetohet se revizori nuk e ka kryer punën në mënyrë korrekte ose nëse këtë e ka bërë në marrëveshje me klientin. Ndëshkimet në këto raste janë shumë të larta dhe, përveç kësaj, revizorët mund ta humbin edhe titullin e fituar duke humbur edhe të drejtën për të bërë punën e revizorit.

Përveç kësaj, në kontekstin e parimit të përgjegjësisë, është me rëndësi të theksohet se revizori mban përgjegjësi edhe për punët që i ka kryer dikush tjetër në emër të tij (p.sh., kur për punë të caktuara revizori ka angazhuar një ekspert).

Parimi i dokumentimit

Konsiderohet një ndër parimet më të vjetra të revizionit dhe lidhet ngushtë me parimet e kontabilitetit. Në këtë kontekst kërkohet që çdo ndryshim afarist duhet të shoqërohet me dokumentacion të rregullt.

Përveç kësaj, në kushtet bashkëkohore, parimi i dokumentimit nënkupton se gjykimi dhe argumentet e revizorit bazohen dhe mbështeten vetëm në dokumente. Prandaj dokumentacioni i punës mund të konsiderohet si urë lidhjeje ndërmjet evidencës së kontabilitetit të klientit dhe raportit të revizionit.

Në fakt, pa dokumentacionin e duhur të punës nuk mund të jepet një gjykim korrekt i shprehur në raportin e revizionit.

Rëndësia e dokumentacionit të punës veçanërisht shprehet në rastin e kontestimeve apo kërkesave për kompensim të dëmeve etj., pasi vetëm me anë të dokumentacionit të punës revizori mund të vërtetojë se revizionin e ka kryer në mënyrë korrekte.

Pra, dokumentacioni i punës ka dy funksione kryesore:

mundëson për të argumentuar nivelin e gjykimit të revizionit,

pasqyron sesi është kryer revizioni,

paraqet ndihmë të rëndësishme në mbikëqyrjen e realizimit të revizionit.

shërben për të vlerësuar korrektësinë e zbatimit të revizionit.

Dokumentacioni i punës duhet të përmbajë të gjitha të dhënat e nevojshme për të argumentuar mendimin e revizorit dhe procedurën e revizionit. Ky dokumentacion është "pronë" e revizorit, d.m.th. i firmës së revizionit.

Megjithatë, kjo "pronësi juridike" nuk do të thotë se revizori këtë dokumentacion mund ta përdorë në dëm të klientit ose nëpërmjet tij mund të nxjerrë përfitim të çfarëdo lloji. Në marrëdhënien revizor-klient rigorozisht duhet të respektohet fshehtësia dhe konfidencialiteti, kërkesë që është në përputhje të plotë me etikën profesionale të revizorit.

Parimi i raportimit korrekt

Ky parim e detyron revizorin që të mos japë deklarime kur për këtë nuk ekzistojnë mundësitë dhe kushtet e nevojshme.

Pengesat që has më shpesh revizori në shprehjen e mendimin të tij, mund të jenë si më poshtë:

pamundësia e qasjes në dokumentacionin e nevojshëm.

mendimi i revizorit është pjesë përbërëse dhe më e rëndësishme e raportimeve të revizionit për realitetin dhe objektivitetin e raporteve financiare, respektivisht të raporteve të revizionit të brendshëm për afarizmin e ndërmarrjes.

Mendimi i revizorit duhet të bazohet në dokumentacionin e punës të

revizorit.

Nëse jepet mendim i gabuar, kjo do të thotë se revizori nuk ka respektuar standardet e revizionit dhe nuk është bazuar në dokumentacionin e punës, atëherë mund të ngrihen akuza ndaj mos përgjegjshmërisë së revizorit.

5.Përfundimi

Mendimi i revizorit për raportet financiare mund të jetë:

pozitiv ose mendim i pakushtëzuar,

mendim me rezervë ose mendim i kushtëzuar,

mendim i pavolitshëm ose mendim negativ,

të përmbajturit nga mendimi.

Duke marrë për bazë çfarë më sipër u tha mund të konkludohet se me parimet e revizionit kuptojmë rregullat themelore, të cilat duhet të respektohen gjatë revizionit.

Ato janë pasojë e përvojës praktike dhe teorike të akumuluara gjatë punës, që do të thotë se parimet nuk janë të përhershme dhe të pandryshueshme, pasi zhvillimi i teorisë dhe praktikës, mund të çojnë në ndryshimin e parimeve ekzistuese të revizionit. Duke respektuar përvojat e ekonomive të zhvilluara të tregut dhe disa specifika të vendit tonë, parimet themelore të revizionit, në kushtet aktuale, do të ishin:

parimi i ligjshmërisë,

parimi i etikës profesionale,

parimi i punës së pavarur,

parimi i profesionalizmit dhe kompetencës,

parimi i përgjegjësisë,

parimi i dokumentimit.

parimi i raportimit korrekt.

Me supozimin e respektimit të këtyre parimeve, është e mundshme që të zbatohet revizioni i pasqyrave financiare dhe revizioni i afarizmit në nivel shumë cilësor.

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BILJANA CIGLOVSKA, FLORIDA VELJANOSKA – WTO, 20 YEARS IN THE SERVICE OF THE WORLD ECONOMY

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Abstract:

The year 2015 is not just a new number in the calendar; this year is very significant anniversary for existence and successfully functioning of the largest organization that has the largest responsibility for continuous world trade and keeping the stability of the world trading system. This year the World Trade Organization (WTO) celebrates 20 years of successfully regulating the world trade flows, 20 years of successfully adjustment and harmonization of economic and trade policies of the member countries and 20 years of adjustment and satisfying the interests of all countries in the world regardless their level of development, aiming to achieve the Millennium Goals.
The set-outs of the institutionalization of the world trading system were not simple at all and they have started many years ago before the official establishment of the WTO. In those years also, the main goal was establishing a system that will put under control and regulate the international trade and the protection measures that were used in the same. The process of establishing the present system of rules, regulations, provisions and agreements for regulating the world trading system was getting across several stages, from which the last and actual now is still not finished. The ongoing Dora Round of negotiations hopefully will end this year with a successful decisions form which especially will benefit the Developing countries.
In this respect, ministers from every WTO member finally took a major step in updating multilateral rules by unanimously agreeing to the so-called Bali Package. The 10 decisions which make up the package have economic significance by themselves, particularly for developing countries, but together they also opened a new chapter for multilateral trade negotiations.

Keywords: GATT, WTO, member countries, world trade system, harmonization, monitoring.

"We are living off the liberalization and reforms of the past. We need to update the rules and implement a new generation of trade reforms which would be so essential for development."
WTO Director-General Roberto Azevêdo

Introduction

Due to the difficulties in the International trade development in the postwar period, characterized with intensive protectionism and regionalism, there was a need for creating unified way for regulating the International trade. The process of institutionalization of the International economic relations began in 1944 in Breton Woods, when were established the International Monetary Fund (IMF) and the International Bank for Reconstruction and Development (IBRD). The aim was achieving institutional integrity in the three main directions: the international monetary flows, the international investments and the international trade.

Institutionalization of the International Trading System

The General Agreement on Tariffs and Trade (GATT)

The need for stabilization and recovery of the world economy from the Second World War consequences resulted with undertaking concrete measures by the great powers, especially the United States. Back in the early 40`s of the last century, the United States defend the idea for restoration of the world trade by free trade principles.

After establishing the IMF and the IBRD, the main aim was establishing a third institution which will be responsible for the trade issues within the international economic cooperation, with other words, this institution will be responsible for revival of the international trade and eliminating the detriments caused by the protectionist measures used during the war.

In the negotiations for creating the International Trade Organization (ITO), as a special UN`s agency were participating 50 countries and their aim was creation of the ITO on the UN Conference for trade and employment in Havana, Cuba in 19474. The intention was realizing the idea for creating supranational institution that will regulate the international trade.
For that purpose it was draw up the Havana Charter for establishing the International Trade Organization (ITO), a tool whose main goal was creating international collaboration in the field of employment, economic activity, economic development and reconstruction, trade policy, restrictive business practices and intergovernmental agreements. This Charter has never entered into force because it was not ratified by the US congress.

Despite the unsuccessful negotiations for creating the ITO, on October 30 1947 in Geneva 23 countries signed the General Agreement on Tariffs and Trade (GATT), which was the only international tool for regulating the International Trade until 1995 when the WTO was created5.
The GATT`s main purpose was global and gradual reduction of tariffs and non-tariffs barriers and implementing other trade and political measures within the trade relations between signatory countries, in order to liberalize the world trade which was gradually realized by the numerous rounds of negotiations.

The GATT`s subscription was political and security attempt for countries` unification through mutual economic cooperation. The main specific of GATT is that, it is not an organization, but an Agreement composed of 38 articles which are bringing out the basic principles of trade liberalization. Therefore, the GATT does not consist of member countries, but it consists of "contracting countries" or "signatory countries".

Among them, significant number and place are taking the Developing countries, whose part in the negotiation rounds has increased from 10 developing countries participating in the GATT`s establishment up to over 70% of the current 160 member countries.

The fundamental GATT principles
The GATT`s activity is based on several fundamental principles contained in the text of the Agreement6:
The trade should be accomplished on non-discriminatory basis, applying the Most Favored Nation clause (MFN).
GATT prohibits the use of quantitative restrictions.
Tariff rates and non-tariff barriers reduction by accomplishing multilateral negotiations.
Common consultations of the signatory countries for removing trade barriers7.

The GATT`s principles are official and obligatory for all signatory countries, but the question is, whether they are based on or are adjusted to the needs, possibilities and interests of the different signatory countries, considering the fact that significant number of developing countries also took part in GATT`s establishment.
The practice shows numerous deviations from the GATT`s principles while regulating the international trade, especially when it`s a question of developing countries and their treatment in the international trade system.

[4] WTO: http://www.wto.org/english/theWTO_e/whatis_e/tif_e/fact4_e.htm
[5] Ibid.
[6] WTO: http://www.wto.org/english/theWTO_e/whatis_e/tif_e/fact2_e.htm ;
FAO - Corporate Document Repository: http://www.fao.org/docrep/003/x7352e/x7352e04.htm#TopOfPage
[7] Text of the General Agreement , Geneva, July 1986 p.3

The GATT`s role and goals in International Trade

Due to the efforts for establishing rules, order and control over the international trade exchange and facilitating the same between all countries, GATT has being playing the role of permanent international forum within which are discussed and analyzed all aspects of the international trade and are signed numerous agreements for trade regulation. One of the GATT`s fundamental assignments is allowing signatory countries to approve mutual tariff withdrawals and facilitations in order to promote the international trade and prohibiting the use of new or increasing the current barriers in front of the international trade.

The GATT realizes its activity through accomplishing multilateral trade negotiations. GATT has conducted eight negotiation rounds for reducing the tariff and non-tariff barriers in the international trade from which the last three (the Kennedy round, the Tokyo round and the Uruguay round) deserve special attention due to their contribution in the process of international trade liberalization.

The 8-th round of negotiations within the GATT – The Uruguay round, began in September 1986 in Punta Del Este and ends on December 15, 1993 after seven years of hard negotiations between 125 contracting countries. Under

Finally in 1993 the most important negotiators the USA and the EU has adjusted their standpoints and on April 15, 1994 the Marrakesh Declaration has been signed by the 128 countries and the Uruguay round has officially ended and the World Trade Organization was established8.

The main elements of the Uruguay round Agreement are distributed in three main areas:
Reduction of agricultural subsidies;
Regulating the foreign investments related to international trade;
Starting the process of free trade with services such as banking and insurance.

The most significant negotiations result is the Agreement for reducing and in some cases complete removing of the tariff and non-tariff barriers in the international trade. This leads to increased reliability and confidence in the world, increased investments flows and world output growth.

The negotiations within the Uruguay round were critical for providing safe and secure future of the world economy and the trade system. The free trade has become the major pillar of the economic prosperity and worldwide development. The GATT creators managed to establish a set of procedures that ensure stability of the trade environment and facilitating the rapid growth of the world trade.

The World Trade Organization (WTO)

The World Trade Organization is the "youngest" one of the contemporary international institutions, which completes the institutionalization process of the international economic relations. The WTO is one of the fundamental and most significant results of the Uruguay round of multilateral negotiations held within the GATT.

The WTO is an international institution within which are regulated the trade relations between countries on a multilateral level in order to achieve faster and more progressive development. The aim of this organization is supporting the trade and economic relations between member countries oriented towards raising the living standard, full employment, increasing the purchasing power and the real incomes of the population, increasing and expanding the production and trade in goods and services at the optimum resources utility.

WTO has been lead by the three international general agreements such as: The General Agreement on Tariffs and Trade – GATT; The General Agreement on Trade in Services – GATS and The Agreement on Trade-Related Aspects of Intellectual Property Rights – TRIPS9.

[8] Results from the Uruguay round of multilateral trade negotiations, legal texts, WTO, November 2003, p.4

Due to the WTO activity the international market access has been facilitated and the international trade barriers significantly reduced.

WTO Fundamental Principles

The WTO is based on the fundamental GATT`s principles previously elaborated. Furthermore, the WTO stands for national economy protection by implementing tariffs; further tariff reduction through multilateral trade negotiations; converting the non-tariff instruments into tariffs; transparency; unification of the protection policies; principle of special treatment for developing countries and special dispute settlement mechanism10.

In order to increase the transparency of the national foreign-trade policies, the WTO regularly publishes Reports for the trade reforms trend and for the problems that countries are facing with during the reforms. Therefore, the member countries have an obligation to submit information for their foreign-trade policies to the WTO Secretariat. Also, the WTO is providing technical help and assistance to the least developed countries for preparing their reports11.

The WTO Agreements

With the WTO membership, member countries are obligatory accepting and applying without exception the following Agreements12:

Multilateral Agreements for Trade in Goods (GATT 1947, 1994)
Agriculture
Sanitary and phytosanitary measures
Textile and clothes
Technical trade barriers
Measures related to the Intellectual Property Rights
Anti-dumping
Customs valuation
Rules of origin
Import licenses
Subsidies and compensatory measures
Safeguard measures
General Agreement on Trade in Services (GATC)
Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)

All Agreements within the WTO are highlighting the principles of liberalization and allowed exceptions. They include obligations for reducing the tariff rates and other trade barriers and liberalization of the services market.

Within the Agreements is also assigned procedure for dispute settlement and special treatment for the developing countries. In addition, the members` governments should provide greater transparency of their trade policies, through constant reporting of the WTO regarding the laws that are in force and about measures adopted and submit reports to the Secretariat for countries` trade policies. The main purpose of the Secretariat is monitoring, adjusting and harmonizing the economic policies of the countries.

Results of the 20 years WTO activity

This year the World Trade Organization (WTO) celebrates 20 years of successfully regulating the world trade flows, 20 years of successfully adjustment and harmonization of economic and trade policies of the member countries and 20 years of adjustment and satisfying the interests of all countries in the world regardless their level of development, aiming to achieve the Millennium Goals.

The World Trade Organization and the system of transparent, multilaterally-agreed rules that it embodies, has made a major contribution to the strength and stability of the global economy. Over the

[9] The integral text and all WTO activities are available at www.wto.org
[10] A. Simova, "The Globalization and the International Economic Organizations" Sofia 2003, p.185
[11] P.Jovanovic and others, "International Economic Relations", fourth edition, Economic Faculty, Beograd, 1999, p 552
[12] WTO: http://www.wto.org/english/theWTO_e/whatis_e/tif_e/agrm1_e.htm

years the WTO has helped to boost trade growth, resolve numerous trade disputes and support developing countries to integrate into the trading system. It has also provided a bulwark against protectionism, the value of which was made plain in the trade policy response to the 2008 crisis, which was very calm and restrained in contrast to the protectionist panic that followed previous crises13. Indeed, when the global economy is more interconnected than ever, it is difficult to imagine a world without the WTO. Moreover, at the 9th Ministerial Conference in Bali in 2013, the negotiators took the first major step forward in updating multilateral trade rules. The measures agreed in Bali were a real breakthrough for the WTO, and they will provide a significant economic boost. In December 2014 WTO Members came together to recommit to implementing all aspects of the Bali package14.

What does it mean the Bali Declaration? In fact the Bali Declaration is a deal reached on several areas of negotiations such as: a package for Least Developed Countries (LDCs), Trade facilitation and Agriculture. These are very sensitive issues especially for the LDCs, because the WTO members confirmed their commitment to duty free, quota free market access for LDCs, but these countries could not completely use these concessions because of their limited export capacity. Regarding the Trade facilitation, the WTO members conclude that developing countries and the LDCs will need additional finance and technology in order to improve the process of Trade facilitation and they will support these countries in building capacities to be able to implement this agreement. The negotiations on Agriculture regarding the food –stock holding as usual were very vulnerable and sensitive which resulted with conclusion that more negotiations will still be required in order to be found a permanent solution. The deal in Bali gave a bit of hope that the long lasting Doha Round of negotiations will finally start to move even very slow towards the and long expected end of the round.
The WTO leaders this year will have a lot of work to do and many challenges to meet, because despite the success of Bali, the pace of negotiations still is going to be a source of frustration. Beside the significant level of integration of all member countries into the trading system, the poorest members (LDCs) are still not adequately integrated into this system, so it is obvious that they still need additional help and assistance and additional aid for trade development and utilizing the benefits that the trade system can offer.

The latest World Trade Report 2014 shows the results of up to now WTO functioning in the service of global trade development and support of the developing and least developed countries in their integrating process in the world trading system. In this regard, the developing countries showed how they have successfully used the trade in order to facilitate their development and achieved economic growth, growing integration of global production through supply chains, higher prices for agricultural goods and natural resources.

According to the latest Trade report, incomes in developing countries are approaching to those of rich countries. Data in Figure 1 shows that, since 2000, GDP per capita of developing countries has grown by 4.7 per cent, with developing country G-20 members performing particularly strongly. Meanwhile developed countries only grew by 0.9 per cent. As a result, developing countries now account for more than half of world output (in purchasing power parity terms)15. The share of developing countries in global trade rose from 33 per cent to 48 per cent since 2000, due to the significantly reduced MFN tariffs.

[13] https://www.wto.org/english/news_e/news15_e/dgra_01jan15_e.htm
[14] The Bali Package consists of draft decisions and declarations in two parts: Part I regarding the regular work under the General Council and Part II regarding work under the Doha Development Agenda.
[15] World Trade Report 2014

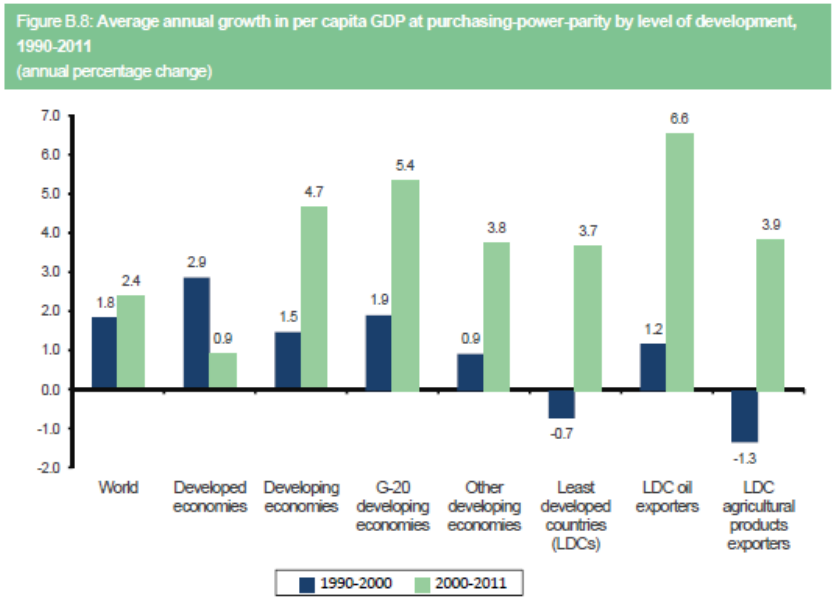

Figure1. Average annual growth in per capita GDP at purchasing-power-poverty by level of development 1990-2011; Source (World Trade Report 2014)

WTO and Development

The WTO has underpinned the progress made by many developing countries by allowing them to take advantage of, adapt to and mitigate risks arising from the trends achieved by these countries. Commitments under the WTO are important for developing countries to promote their trade and development. Countries undertaking substantial reforms in the context of WTO accession were found to grow 2.5 per cent faster for several years thereafter16. At the same time, developing countries need flexibilities because their economic circumstances can hamper their ability to implement obligations. Development is a fundamental objective of the WTO.

The latest trends in the World Trade Report 2014 show that trade is one of the key enablers of development. Trade has played a central role in lifting millions of people out of poverty in recent years and helped to achieve many of the UN millennium development goals (MDGs). The recent rise of Developing countries proved that, growth can lead to improvement of human development indicators; Trade is an important driver of growth; better environmental outcomes do not automatically follow and the environmental and social risks need to be anticipated and mitigated.
Also, another significant trend in the latest World Trade Report is the increasing participation of developing countries in the Global Value Chains (GVCs), where the WTO trade policies are crucial for GVCs development. The trend of higher commodities prices has opened export opportunities for many Developing countries and possibilities for further agricultural development, considering the fact that, Agriculture is key sector in developing countries employing more than half of population.

It is a fact that, during the 20 years of WTO serving in service of World Economy, enormous development gains has been achieved, but still there is much more that needs to be done regarding the further development of DCs, upgrading their participation on GVCs, agricultural protection and subsidies and further strengthening of the rule-based system. Many of the needed is at hand in the Bali Decisions and the unfinished Doha Development Agenda.
The agreement reached in the Bali Ministerial Conference in December 2013 is a positive step in advancing this objective and offers many opportunities for developing countries. To make trade work more effectively for development, further progress on the Post-Bali Agenda would be important. The WTO and its central role and rules should be seen as an integral part of the enabling environment for realizing any post-2015 development agenda.

[16] https://www.wto.org/english/news_e/pres14_e/pr728_e.htm

Conclusion

During all these years the WTO has justify its existence and action in the service of Institutionalization of the International Trade System, integration of all countries no matter their development level within the world trading system and providing opportunity for its benefits.
The WTO demonstrate that it is always in the function of international trade liberalization and facilitation of the market access as well continuous adjustment, harmonization and monitoring over the economic and trade policies of all member countries.

In this respect, ministers from every WTO member finally took a major step in updating multilateral rules by unanimously agreeing to the so-called Bali Package. The 10 decisions which make up the package have economic significance by themselves, particularly for developing countries, but together they also opened a new chapter for multilateral trade negotiations.
The WTO has still not achieved the acme of it's up to now functioning, because the top actually does not exist, it exists only one aim and that is leveling the differences in the world and providing equal chance to all countries in order to use the global benefits of the International Trade System.
In front of the WTO leaders stand much bigger challenges that are coming out from the measures established in the Bali package that in time should be implemented and should contribute for finishing the most lasting round of negotiations – Doha Round. This round should overcome all misunderstandings and contradictions between the WTO member countries, but with equal satisfaction of all countries` interests irrespective of their development level.

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PROF. ASS. DR. HAMDI HOTI, PHD. (C) RIFAT HOXHA, PHD. (C) REMZI AHMETI – INVESTMENTS IN SMALL AND MEDIUM BUSINESSES, THEIR ROLE IN THE ECONOMIC DEVELOPMENT OF KOSOVO

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Abstract

Small and medium businesses play a very important role in the economy of the country as their development is linked directly to economic development.
Small and medium businesses (SME) make up about 98% of all enterprises have the potential to play an important role in economic growth. This is also general agreement about the important role that SME play in the number of employees.The main goal of this paper is the diagnosis of the current state of Small and Medium Businesses and to identify the problems, obstacles, and barriers that suffocate the development of their activities, identifying both the needs and demands of the community to improve the situation advancing development processes and the development of positive trends in strategic terms.
Research data for this paper will provide the Statistical Office of Kosovo, where they will be informed about the number of these businesses and the floë of the interview that will make a number of SME managers to watch out for close to all the problems that may have these businesses.
This paper will try to give theoretical and practical value to be much more convenient for all managers of SME-s who hope to assist in the ongoing development of their businesses.

Keywords: Investment, Business, Management, Economic Development.

Small and medium enterprises and economic growth

Small and medium sized economic and social role is very important because of their contribution to the economic operation of the network and the creation of new jobs.
These contributions are valuable in crisis conditions and rising unemployment.In Kosovo, business development contributes to coping the numerous challenges associated with economic development, the effects of inequality, high levels of unemployment, demographic growth and the need for structural and other changes.
Recent theoretical developments in the field of economic growth are based on neoclassical theory Robert Soloë and Paul Romer. The difference between Soloëit and ROMERI is that the first considers advancements in technology as a result of forces outside the system, while ROMERI insists that economic growth is the result of forces within the economic system, not any outside force17.
Increasing the number of small businesses within an industry affects economic growth through two channels:
1. Increased competition, which improves economic performance;
2. Increasing competition and increasing the percentage of small businesses in the market.
There is a general consensus that bear the main burden innovation growth of national economies.

[17] http://www.scribd.com/doc/20134657/small-and-middle-business-test-1-and-2

The main stages of innovation are as follows: innovation, development, production, market entry and diffusion.As small as well as the largest contribute to the process of innovation18.
But the superiority of these categories of businesses depends on the industry, to which they belong.As in a number of industries, small businesses are more efficient in innovation, then the their impact on economic growth is huge.Small and medium-sized national economy to contribute to solve the problems of employment in the country, increasing the General National Product, helping in the development of large businesses and contributing to the country's import and export19.
Business Development of Small and Medium (SMBs) in Kosovo, together with the restructuring and privatization of the economy is estimated long as one of the main preconditions to the realization of strategic goals for economic development.
SMBs in Kosovo are the biggest makers of Gross Domestic Product (GDP), and at the same time employ a large workforce.

If we do not go deeper, this is perhaps the most successful development in recent years with us. This is because one of the main pillars on which should support Kosovo's path to regional and European integration SMBs are strong and healthy.
The development of these businesses in Kosovo offers new employment opportunities that help in reducing the level of unemployment and demographic challenges facing the population, which are growing rapidly.In addition, the development of these businesses sector contributes to strengthening the competitiveness and productivity, and promote the growth of total revenues and income per head of population in the country. This development promotes the structural transformation of the SME sector, due to its link with innovation and technological development in general.
On the other side, the process contributes to regional and local development and social cohesion, by enabling reduction of inequality, because income growth of a broad segment of the population reinforces the demands for better governance.

These positive developments improve economic and political opportunities, transforming demographic discouraging projects that deepen poverty and instability, the forces that can cause positive changes.For this reason, in general we can conclude that positively affect SMEs in the main vectors of development in the whole country in general.Therefore, the development of the sector of small and medium businesses is important for Kosovo, especially when you consider that social problems are largely as a consequence of the uneven economic growth.

The role of private sector development in reviving the Kosovar economy

Kosovo is one of the countries where the transition to a market economy is closely linked with the development of the private sector and especially small and medium business, which play a key role in economic reforms implemented in Kosovo.
Developing SMBs sector in Kosovo has made progress without controversial. And operating environment was not all always friendly and favorable for this sektor20.
About 15 years after the war, we can say that SMBs sector is the trend towards stabilization and normal.

Many indicator that immediately after the war inflates the achievements of this sector now are coming and are stabilized.

Inclinations for the benefit of entrepreneurs and fast are easy gradually being replaced with attitudes substantial and realistic expectations supported primarily on market developments dominated by the offer and demand.In the early 90s until now SMBs in Kosovo had a big burst of development.
Although the birth and development of these enterprises has been developed in an unfavorable time, a large number of these companies have managed to survive.

[18] http://www.scribd.com/doc/20134657/small-and-middle-business-test-1-and-2
[19] D. Kërçini, "Entrepreneurship and small business direction", Tiranë, 2008, Fq.59
[20] www.ks.undp.org

The strategic importance of small and medium business for the development of Kosovo's economy can be summarized in the following points:
☑ In Kosovo, in 1991 he had a small number of private enterprises and in 2013 were over 60 thousand registered businesses of which 98% are small to medium sized businesses and micro businesses. Registration procedures are among the easiest, the cheapest and fastest in the Balkans region.This dynamic is an indication of entrepreneurial spirit of the people of Kosovo;
☑ 95% of businesses employ fewer than 10 people. For this reason it can be said that the structure of enterprises in Kosovo is characterized by micro businesses21;
☑ Currently SMBs sector constitutesgreatest absorber of labor force SMBs account for about 65% of jobs;
☑ The contribution of this sector (SMEs) in creating GDP is where around 80% of GDP and constitute SMBs22.

Despite the importance of SMBs, unfortunately, the capacity of these businesses are not satisfying consequence:
☑ Low capital base;
☑ High interest rates credits;
☑ Not local competition;
☑ Political, non-stimulating fiscal and customs;
☑ Lack of working space and accompanying infrastructure;
☑ Lack of legislation and implementing mechanisms;
☑ Lack ofelectricity energy;
☑ Low levels of qualifications and low capacity level consulting, training, educational and business service providers and network supporting SMEs, etc.

The opening of new businesses and those extinguished since 2008- 2012

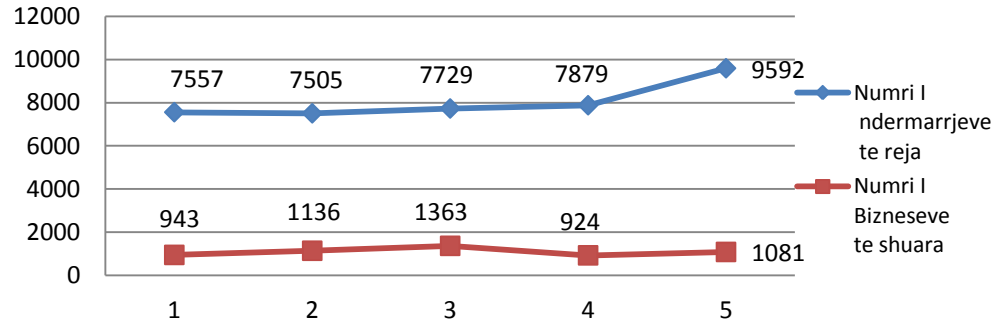
From 2008 until 2011 we have a figure roughly the same to opening new businesses in Kosovo around 7667, while in 2012 this figure increased to 9,592 businesses.While businesses which are canceled each year since 2008- 2012 have an average of 1,089 per year23.

Table 1. New business and exhausted by 2008- 2012

Years	Numbers of new business	Number of exhausted
2008	7557	943
2009	7505	1136
2010	7729	1363
2011	7879	924
2012	9592	1081

Sources: Statistical Office of Kosovo

Chart 1. New businesses and exhausted by 2008-2012



[21] Statistical Office of Kosovo, "Statistical Repertoire of Enterprises in Kosovoë", 2012
[22] Globalization and Transition
[23] Statistical Office of Kosovo, "Statistical Repertoire of Enterprises in Kosovoë", 2012

This result shows that Kosovan entrepreneurs have good will towards the opening of new businesses and towards the development of existing businesses trying always to contribute to raising the quality of work and economic development of the country.

Forms of business organization and management

Business is the way organizing of the activity, with the aim of making a profit for supplying people with goods and services that they need.They exist to create value for the owners, respectively their shareholders.To establish a business enterprise, the owners decide through appropriate forms of organization and employ the managers to manage the resources that are available to the enterprise through various investments or crediting.
Forms of business organization to realize his goals are: individual businesses or businesses with a proprietor, partnership and corporations24. The way business management depends directly on the form of organization of the firm.So the firms in business organized as individual business, mainly the owner himself manages his own company, while the firms in the form joint ownership management of the firm appears easier for the owners of the enterprise except their capital even join their skills professional and managerial, that helps and facilitates the management of the firm enough25.
Enterprises organized in the form of joint stock companies ownership and management of the firm's capital are divided and opportunities for a better quality management of businesses are much larger.

Small and medium business and their role in the creation of new jobs

It pointed out that small and medium business have a higher rate of creation and bankruptcy, which is reflected in the number of new work and the removal of a certain number of employees.
In general it estimated that the number of new jobs created by small businesses is greater than the number shortened as a result of the bankruptcy of small businesses, and therefore the net creation of jobs is positive.
Contrary to the fact, the unemployment level in Kosovo is still very high.This should be a factor of motivation booster and attention to Kosovo businesses, to create conditions and to motivate young entrepreneurs to open new businesses by affecting the increase in the number of employees and increased state revenue.
To improve this situation in the fast steps the government should provide conditions for foreign investments as one of the most important ways that can decrease unemployment in certain regions of the country depending on where investments26.

Challenges for the development of small and medium businesses in Kosovo

The SME sector is not sufficiently developed in Kosovo, despite the importance of this sector.
Although differences exist from the region, some obstacles to SME development are common to the entire region and countries of EU criterion. In many countries economic structure is oriented towards large enterprises, state-owned enterprises or large private enterprises from the energy sector, mining, food industry, tourism or real estate.
Small and medium enterprises in the country supplying the products and services low layer and medium economy and their productivity is usually poor.In many sectors of the economy, the opportunities for SMEs to enter the market are limited due to monopolistic market structures, which inhibit the activities of companies. The small size of the SME sector in especially the owe a fact, that the challenges the region faced at the same time are the factors that create barriers to entry into the market, as well as for the development of SMEs.In general, the SME environment is unfavorable to business. Access to sources of financing (including credits) is one of the main constraints on the creation, survival and growth of SMEs, especially the in the case of those companies that are innovative, of high as interest rates and unfavorable to businesses.

[24] S. Dhamo, Financial accounting, Pg. 23
[25] KBCG (Kosova Business Consulting Group), "Research for SMEs" Prishtinë, 2005, Pg. 20
[26] I. Kristo, "International Business", Tiranë, 2004, Pg. 269

Another challenge relates to public administration, with officials, which often are not well prepared for the job, with excessive administrative fees and lack of transparency.
Additionally, insufficient quality of main infrastructure, such as roads, telecommunications and distribution networks of electricity and water, reduces the productivity of private investment for projects that depend on these infrastructures.
Economic and financial crisis further exacerbates the difficulties for SMEs, because on one side, it is difficult to find sources of financing, and on the other the demand for goods and services falls dramatically.
In general, SMEs are more volatile in time of crisis for several reasons:
1. The first reason is that they can not easily be reduced because they are small;
2. The second reason is that they have less solid financial structure and suffer the consequences of difficulties crossing large enterprises.

Conclusions and Recommendations

At the conclusion of this paper that deals with the development of small and medium enterprises in Kosovo, i will give some recommendations, which I think a little bit will contribute to further development of these enterprises and also in economic development country.
During interviews with some of the managers of successful new businesses and those that are faded, some of the factors that most often not identified as a barrier for SMB capacity utilization are:Unfair competition, lack of funding, the high rate of interest, not the stability of the economy, the lack of market for the sale of products and services, the high price of raw materials, lack of adequate technology, and lack of personnel qualified.
Recommendations for greater use of capacity on the BVM and rapid economic development of the country are that:

☑ Should eliminate unfair competition by strengthening the laws of the government, the monetary and financial policies implemented stimulus shortages financial softens circulation, and related free trade agreements with countries in the region and wider;
☑ Macroeconomic policies supported quality production and service enterprises in the country so that the market to be supplied by local production and service companies, which will improve the balance of trade exchanges with the world and the balance of payments with the world.
☑ To increase exports of local products in foreign markets, it is preferable to apply certain forms of stimulation of exports by the government, eliminate bureaucratic obstacles, to reduce customs duties, enhanced with methods of communication, to ensure greater information and more quality to foreign markets, eliminate difficulties for payments in the world, to improve the quality of the road network and transportation arranged more functional and more economical, and certainly increase the quality of local products and services;
☑ To stimulate the organization of enterprises in the form of joint stock companies (corporations) as the optimal form, which affects the investment even smaller amounts of financial funds that hold individuals and families, and at the same time will help to finance projects that can not be financed from its own resources and bank loans;
☑ To stimulate SME membership in business associations, because it constitutes an important factor for the development of SME activity in Kosovo;
☑ Build capacities of professional staff, this implies training the staff from these small and medium business, and it is known that these businesses have staff and development strategy but think that the training of staff in the form of potential energy continually produce increasing the capacity of the enterprise.

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HIDAJET KARAXHA, HALIT KARAXHA - THE STRATEGIES OF DISTRIBUTION CHANNELS. KOSOVO'S CASE

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Abstract

Through strategies of distribution channels the firms expect to achieve their goals. The competitor's indifference towards strategies of distribution channels is a great chance for companies that want to try developing the distribution as an essential strategic element of the enterprise. From the data we can see that one of the difficulties in managing the distribution channels is the involvement of businesses and channel members in the unification of strategic objectives and policies. The strategy of designing distribution channels requires knowledge about the needs to design the distribution channel, put and coordinate distribution's objectives, the development of possible alternatives of the channel, the evaluation of variables that affect channel's structure, selecting the best structure and selecting the best member of the channel. The strategies of managing distribution channels require the selection, leadership and motivation of channel members and the evaluation of their success over time. The purpose of this paper is to determine the best distribution channels strategy in kosovar enterprises, which is considered as a link of marketing functions and as a connecting point of creating relationships between enterprises and consumers. Some manufacturing companies use their seduction skills towards channel members and this way these companies manage to sell their products in mass markets. A strategy like this of connecting with powerful motivated partners helps the enterprises to be effective in selling their products. The paper includes empirical data collected through questionnaires and interviews, and secondary data as well based on reviewing the existing literature about issues that have to do with defining the distribution channels strategies. The collection of primary data was conducted through a questionnaire which helped us in creating contacts. The final compilation of the questionnaire, the methodology and samples were realized by analyzing the determining factors that influence the distribution strategies. The research was realized with owners, directors, managers and other enterprise holders in Kosovo. The sample is intentional (not probable).

Key words: defining the strategies of distribution channels, mixed marketing, the strategies of designing distribution channels, the strategies of managing distribution channels.

Defining the strategies for distribution channels

The strategy of distribution channels can be seen as a special part of the general marketing strategy with which the firm expects to achieve its distribution goals in the target markets. This way, the strategy of marketing channel is related with the aspect of marketing strategy of country (Bert R.(2004 & 2013, p.151). One channel refers to different measures for making a product or service available for the market. In this context, a channel serves as a bridge between the producer and the consumer through which the products reach the target market (Jokinen K.2012, p.14). The distribution strategy is considered as the axis of marketing functions that includes marketing channels, points of option, purchases and focuses on the customer relationship management (Road A., Daryaganj, (2007) p.329). The strategy of distribution channels refers to a wide group of principles through which a firm wants to achieve its distribution objectives by focusing in drafting distribution techniques and methods to achieve the general goals of the enterprise (Mehtaa R., Dubinskyb A., Andersonc R. 2001, p.431). The company has to develop an integrated strategy of distribution channels. It has to evaluate each channel's direct influence in product sales and its transverse effect through other channel interactions or options (Kotler Ph& Lane Keller K, 2012, p.21). Providing a plan that connects the strategy of distribution channels with individual performance is also a valuable tool in the reduction of conflicts (Kiran V. &Majumdar M. & Kishore K., 2012.p.54). The specific objectives

included in the relationships between time, cycle, order and sales availability describe the influence of distribution strategies in consumer's value (Aila F., Ondiek G. & Mise J & Odera O 2012, p.1259). An essential element towards company's success is the selection of an appropriate distribution strategy which will increase sales and profit (Nguyen T. 2013, p.14). Distribution strategy is useful in the distribution of effective goods and services with the targeted clients. The company can choose to implement the exclusive strategy of distribution where a retailer receives the right to operate in a certain zone or intensive approach of distribution where a product is available in all possible branches of retail sales. This strategy should be followed by the objective to serve the selected markets with a minimal cost while maintaining the desired image of product (Road A., Daryaganj, 2007, P.196).

The strategy of distribution channels and the mixed marketing

Distribution has a great effect in profitability, so a firm should have an excellent and logistic plan of the supply chain and the management of distribution. All variables of mixed marketing are connected with each-other. By raising product's price, the product demand will be reduced and smaller points of distribution will be needed (Singh M., 2012, p.4). Whether the firm sees the distribution issue as worthy of disturbing the high level management or not by developing general strategies and objectives, it still has to face the issue of distribution's role in the mixed marketing. The development of mixed marketing strategies for the product, price, promotion and distribution's place that fulfill market's requirements better than the competitors, is the essence of modern management (Bert R.(2004 & 2013, p.157). The size of sales force and the number of distribution channels are two vital elements for the enterprise (Koksal M.& OzgulE., 2007, p.339). The taken decisions in the field of distribution should mostly be in accordance with the decision-making in the field of product (Barcik R., &Jakubiec M. 2013, p.5). The decisions about selecting the distribution channels include numerous of interconnecting variables that have to be integrated in the strategies of marketing mix. Based on this, the selection of channels can be further defined in the aspect of: distribution coverage, the desired degree of control, the general cost of distribution and channel's flexibility (Donnelly P. 2001, p. 166-171).

Channel's strategies and the design of distribution channels

The design of channels refers to the decisions that come from the organization to create a new distribution channel or from the taken decisions to change an existing distribution channel (Schugk M.2005, p.16). The design of a marketing channel's system includes the analysis of consumers needs, setting the objectives of the marketing channel, identifying the main alternatives of marketing channels and their evaluation (Kotler PH and Lane Keller K. 2009, p. 235). The analysis of consumers needs – the channels produce these service results: space facility, in-time delivery, various products and services advancements. Setting the objectives of the marketing channel – the companies have to set their marketing channel's objectives in terms of the targeted levels of consumer's service. Identifying the main alternatives of marketing channels and their evaluation – after the company has set the objectives of its channel; it also has to identify the main channel alternatives about: the types of mediators, the number of mediators and the responsibilities of every channel member. Evaluating the main alternatives – after the company defines some of channel's options, it has to choose the one that fulfills bets its long-term objectives. Each option must be evaluated based on economic, control and adaption criteria (Kotler P, & Amstrong G., 2011, p. 351–354).

The strategy of marketing channels and its management

The management of marketing channels requires the selection, management and motivation of individual channel members and the evaluation of their performance over time. The producers distinguish based on their ability to seduce marketing mediators. When the mediators are selected, the company has to define what characteristics distinguish the very best (Kotler P, & Amstrong G., 2011, p. 354). The manager of channel, in attempt to plan and implement a program that will achieve the cooperation of channel members faces three strategic questions (Bert R.(2004 & 2013, p.165). 1) How strong must the connection of channel members be? 2) How should the members be motivated to encourage cooperation in achieving distribution objectives? 3) How should mixed marketing be used to achieve this cooperation? Strategic requirements, management preferences and other limits assist in determining the intensity of distribution that offers a better performance of strategic potential. The correct selection of distribution intensity depends on targeting and positioning in the strategies of

directing the product and market's characteristics (Road A., Daryaganj, 2007, p.211). The task of managing distribution channels is to coordinate and monitor multiple flows that include mediators, sellers, wholesalers and agents (Rosenbloom B.2010 p.11).

Research results

For your company, is the strategy of distribution channels seen as a special part of the general marketing strategy?

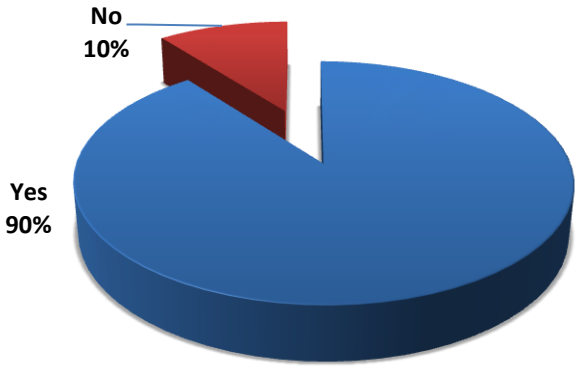
Table 1: The strategy of distribution channels as a special part of the general strategy

The strategy of distribution channels	%
Yes	89,6 %
No	10,4 %
	100,0 %

Source: Evaluating the authors based on the results of research

Based on the table, 89.9% of the enterprises said that the strategy of distribution channels is seen as a special part of the general marketing strategy; while 10.4% don't see it as a special part of the general marketing strategy.

Figure 1: The strategy of distribution channels as a special part of the general strategy



Source: Evaluating the authors based on the results of research

What distribution channels does your enterprise use?

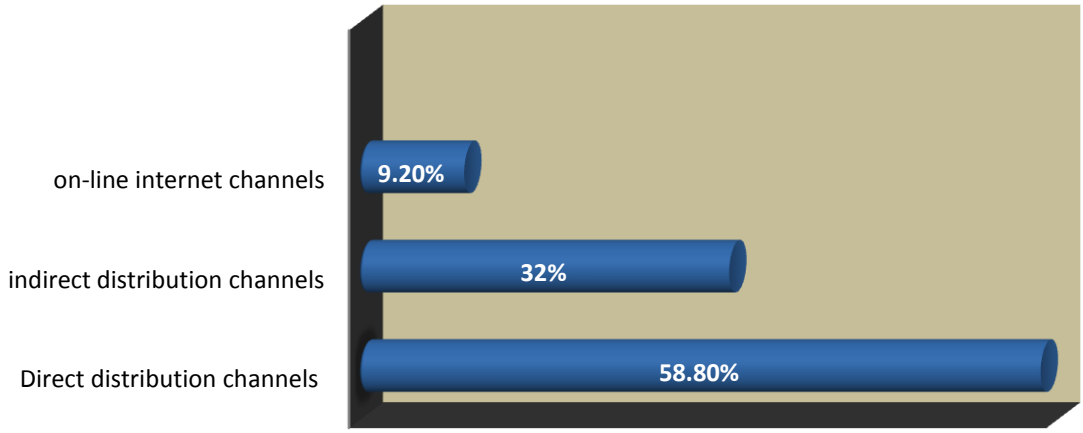
Table 2: The use of distribution channels.

The use of distribution channels	%
Direct distribution channels	58,8%
indirect distribution channels	32%
on-line internet channels	9,2%
	100%

Source: Evaluating the authors based on the results of research

The leaders of the questioned enterprises said that distribution channels are highly important for their growth and market penetration. From the table we notice that they give high priority to direct distribution channels, 32% use indirect distribution channels and 9.2% use the on-line channels believing that these channels will remove their base of consumers.

Figure 2: The use of distribution channels



Source: Evaluating the authors based on the results of research

What do you use the strategies of mixed marketing, product, price, promotion and place for?

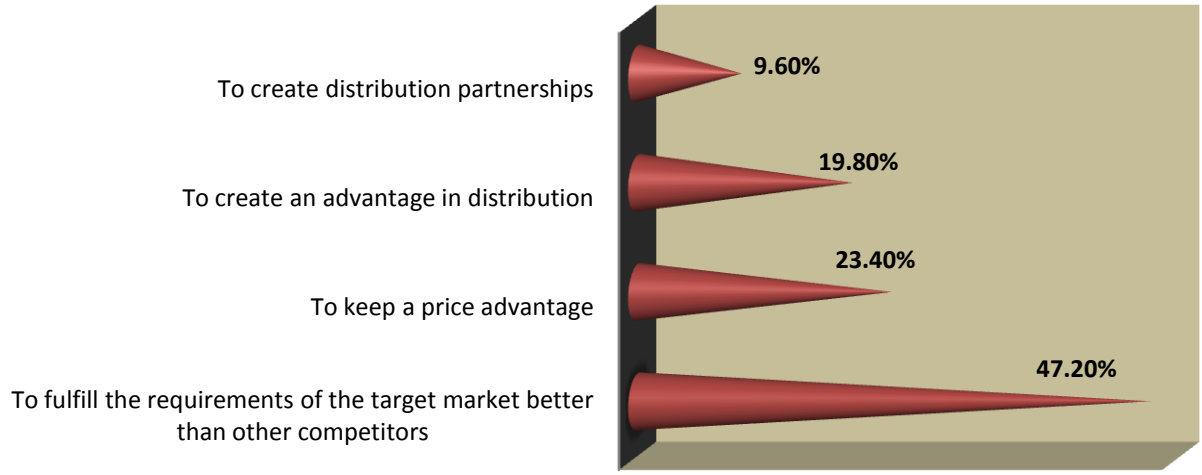
Table 3: The use of mixed marketing strategies

The use of mixed marketing strategies	**%**
To fulfill the requirements of the target market better than other competitors	47.2 %
To keep a price advantage	23.4 %
To create an advantage in distribution	19.8 %
To create distribution partnerships	9.6 %
	100 %

Source: Evaluating the authors based on the results of research

Most enterprises said that they use these strategies to fulfill the requirements of target market better than other competitors as an essential element of modern management of marketing, 23.4% use them to keep the price advantage, 19.8% use them to create an advantage in distribution and 9.6% use it to create distribution partnerships. Therefore, these strategies help the enterprises to create relations between satisfying the target market and mixed marketing.

Figure 3: The use of mixed marketing strategies



Source: Evaluating the authors based on the results of research

You select the distribution channels based on which aspect?

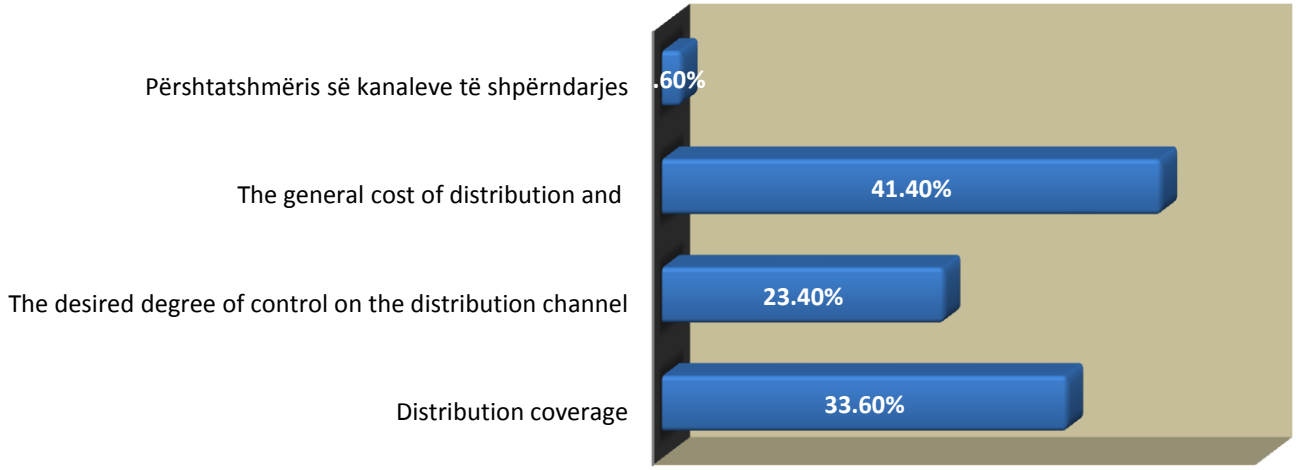
Table 4: The selection of distribution channels

The selection of distribution channels	%
Distribution coverage	33.6 %
The desired degree of control on the distribution channel	23.4 %
The general cost of distribution and	41.4 %
Suitability of distribution channels	1.6 %
	100 %

Source: Evaluating the authors based on the results of research

Revenues from sales and the number of distribution channels are two vital elements for the enterprise to create a competitive advantage compared to other companies. Most of the respondents said that they prioritize distributions costs in choosing distribution channels, 33.6% prioritized distribution coverage, 23.4% prioritized the desired degree of control on the distribution channel and only few of them prioritized the suitability of distribution channels.

Figure 4: Selecting distribution channels



Source: Evaluating the authors based on the results of research

The decisions for distribution channels design are done through:

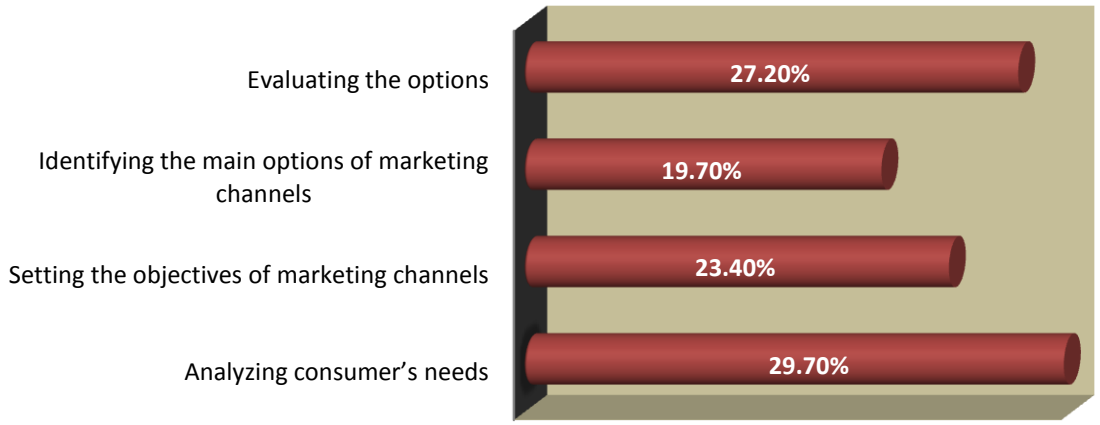
Table 5: The decisions for the design of distribution channels

The decisions for the design of distribution channels	%
Analyzing consumer's needs	29.7 %
Setting the objectives of marketing channels	23.4 %
Identifying the main options of marketing channels	19.7 %
Evaluating the options	27.2 %
	100 %

Source: Evaluating the authors based on the results of research

From the table we can see that during the design of distribution channels enterprises consider these essential factors: 29.7% analyzing consumer's needs, 23.4% setting the objectives of distribution channels, 19.7 identifying the main options of marketing channels and 27.2% evaluating the options of marketing channels. Therefore, channel's design refers to the decisions that come from the enterprise to create a new distribution channel or the decisions to change an existing one.

Figure 5: The decisions for the design of distribution channels



Source: Evaluating the authors based on the results of research

Which of the following options are parts of your enterprise's strategy for managing distribution channels?

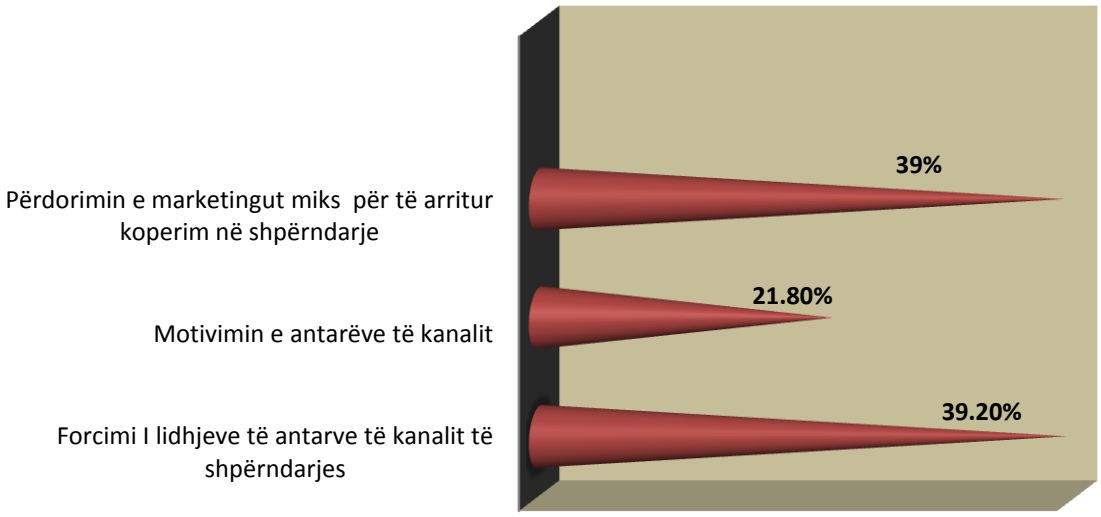
Table 6: The strategies of managing distribution channels.

The strategies of managing distribution channels	**%**
Strengthening the relationship between the members of distribution channels	39.2 %
Motivating channel members	21.8 %
Using mixed marketing to achieve cooperation in distribution	39 %
	100 %

Source: Evaluating the authors based on the results of research

Based on the table, we can see how these options indicate the strategies of managing distribution channels: 39.2% the strategies of managing distribution channels, 21.8% strengthening the relationship between the members of distribution channels and 39% the use of mixed marketing to achieve cooperation in distribution.

Figure 6: The strategies of managing distribution channels.



Source: Evaluating the authors based on the results of research

Conclusions and recommendations

Enterprises must formulate the objectives of their distribution channels in terms of the targeted consumer's service levels. A good strategy of distribution channels affects in achieving the distribution objectives in target markets. Developing strategies of mixed marketing, product, price, promotion and place is a form of connection between satisfying the target market and mixed marketing. From the collected data, it is seen that most enterprises consider the strategy of indirect distribution channels as more effective, while as alternative strategies the use the strategy of on-line distribution channels. Motivating the members of distribution channels and a good management of relationships with partners creates a system of value elaboration which fulfills enterprise's needs and its marketing partner's ones as well. In the management of distribution channels, enterprises should convince the distributors that they can succeed by working together, as part of a cohesive system of value elaboration. It is recommended for the enterprises to define which segments will they serve and choose the best channels to be used at any case. In every segment enterprises should ask to minimize the general cost of the channel. It is preferred for small enterprises in Kosovo to sell their products to retailers while outside the country it is preferred for them to sell their products through distributors.

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PROF. ASS. DR. NAIM BAFTIU, DR. VELI LECAJ, DR.SC. EFLORIM HAJRA - WATER FILTRATION CALCULATION WITH FUNDAMENTAL ELEMENTS METHOD – PRESENTATION IN DIRIHE- NEUMANN PLANS AND COMPILING OF PROGAM WITH PROGRAMMMING LANGUAGE C+

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Abstract

The problem with supply of industrial water nowadays is becoming very serious for the reason that the industry requires more quantity of clear water. Since natural water from the rivers and other sources doesn't fulfil the necessities, it is before using it in industry in many cases is prepared and processed by means of filtration.
One of the most useful way of water filtration is programming in programming language C+.
This program has the objective of calculation of water filtration in special cases in order to achieve the creation of shorter time and more accurate way.
The goal of this work is calculation of water filtration and studying of a water zone in village Sibovc, Kosovo of 1 km area with the method of Fundamental Elements and statistic processing with DIRHILE-NEUMANN Method which is inserted in Programming language C+. This programming language has found wide applications not only in the field of water but also those with thermo hydro-dynamic character, calculation of water filtration, prescription of physical-chemical particularities etc.
With this advanced program C+ is used a given model with number of nodes 10 and number of elements 10, whereas limited conditions with DIRIHLE-NEUMANN Method in e definite level are in the contour 3-7 charge will be Φ 3= Φ 7=100 m, whereas in contour 8 the charge will be Φ 8 =200m, and in contour 10 the charge will be Φ 10 =300m, flux of the source is : q1=q5=q9=2, q2=2.5 m3/day, coefficient of filtration k = 100 m/day.

Keywords: water filtration, Dirihle-Neumann Method, programming language C+, contours and Filtration coefficient.

Economic aspect and the importance of water in society

Hygienically clean water for drinking is a prerequisite for good health of the population, in connection with which the (WHO, 2010: 35) World Health Organization water quality and supply has ranked twelve basic indicators of health status the population of a country. So it turns out that water is vital for public health, economic development, and national security, the establishment of social welfare and beyond.

Water is a limited resource, thus, provides clean water and safe for current needs and for future generations represents one of the main challenges of Kosovar state. Especially challenging is presented providing water to all citizens of Kosovo, and Kosovo agriculture businesses for a sustainable period of time, considering the great climatic changes the world, whose split Kosovo cannot be my municipality. This requires a multidimensional scientific study regarding the research, extraction, filtration and water usage sure to rinse having constant access and unlimited water supply, this issue that affects the economic development of the public health and welfare of citizens Kosovo.
Scientists explain that our planet consists of 75 % water, but only 1 % of water is available for drinking. Time needed to watch the waters in the territory of Kosovo from another point of view,

based on the fact that during the movement of water in nature, polluted air and from the ground, often by human negligence by large quantities of water black and other water discharged into rivers and lakes, including factories, utilities, homes, other not forgetting or agricultural pollution from the use of nitrogen fertilizers, pesticides, herbicides other.
On the other hand the growth of population and its movements, change of land use, including the characteristics of the weather and climatic conditions pose the necessity of research and efficient management of water use. The importance that separate the one hand is the increased use of water demand for energy production and agriculture sector after Kosovo's population continues to grow constantly , what the resources and the availability of water is not always coincide with the location of the population , on the other hand .
In this case it requires deep drilling research and water resources and the necessary transfer of resources to the areas that need it as is the case with the municipality of Orahovac. In this municipality are two drilling made from 100 meters depth , it is found water , and are doing all the work associated with the completion of this project by providing water flow of 3.3 litters per second to as the project has cost 29.600 euros. This project has provided sufficient supply of both villages with drinking water and is believed to be a sustainable supply that would justify the cost. Therefore we end the economic rationale logically justified and accepted through the slogan: "Access to water and sanitation - inalienable human right"

Introduction

Water filtration is a basic operation whose purpose is that its current amount to define in correctly way to requested location. The whole Sibovc's area has a surface about 16 km width a maximum width of 3.8 km and length of about 6 km. Surface water that way affect is mainly in small amount and have no permanent leak. This area is characterized by a continental climate with dry and hot summer and indifferent winter temperatures depending on the influence areas of high pressure from Siberia or low pressure areas of the Atlantic Ocean.
The average annual temperature is around + 10 C. The lowest temperature measured is 25.2 C. Rainfall data were collected from different sources. In 2000 Kosovo Hydrometeorology Institute conducted a study where is submitted monthly average for the period of 25 years. The database is completed with exiting evaluation for the period of 2004 to 2013. Calculated average annual rainfall of 600 mm. Minimal rainfall data are described in 1990 with 372 mm, maximum annual rainfall are recorded in 1995 with 1010 mm. This area forms a slight plain which is limited by hills and mountains and it contains a well-developed hydrological network with a leading collector which is Sitnica River. This river runs through the base from north to south and drainage about 80 % of surface accumulated water in the northern direction. Other rivers in the vicinity are Drenica River in the west and Llapi River in the east. The flow of Sitnica River varies between the minimum of 0.5-1.5 m3/s and the maximum of 50 – 120 m3/s with an average of 5 – 10 m3/s. In the periods of flooding, the low of river reaches the width to 1000 m in the flooded areas.

Tab: 1/1.The comparison of water qualities.

		Minimum	Average	Maximum
Units		Analyzed area Sibovci	Analyzed area Sibovci	Analyzed are Sibovci
Value of pH		6.7	7.8	8.7
The electrical conductors	µS/cm	175.0	1,381.0	3,700.0
Chloride	mg/l	4.5	90.0	290.0
Sulphate	mg/l	75.0	924.0	1,741.0
Hidrokarbonati	mg/l	232.0	447.0	600.0
Nitrate	mg/l	0.0	10.3	72.0
Consumption ofKMnO4	mg/l	3.0	45.0	183.0

Exploitation of underground water concentrates on private wells that are due to a depth of 10 to 15 m within underground surface. Produced quantities are given by the Institute in (1985) with Q =3 (l/min) to Q=11 (l/min) with a maximum from Q= 54 (l/min) which can be judged as hydraulic conductivity rate from kf = 10-9 m/s to kf = 10-6 m/s.

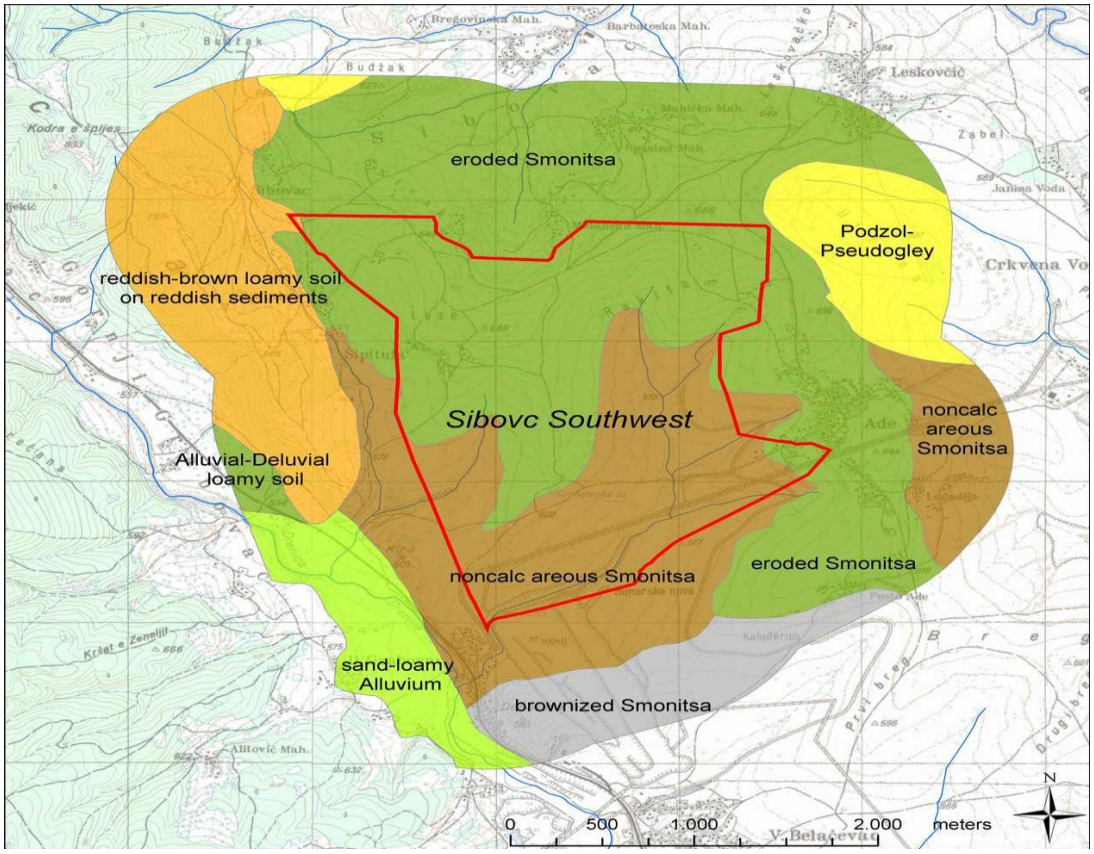


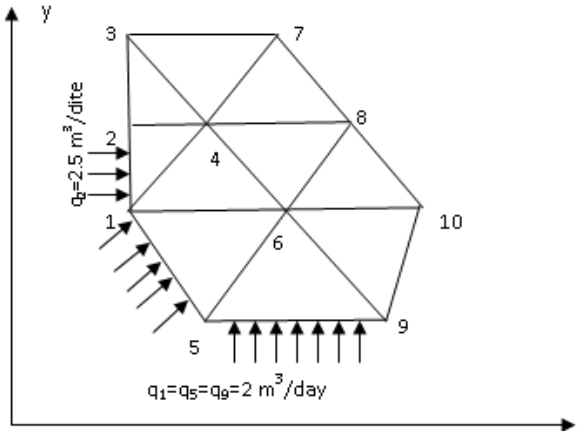
Fig: 1/1. Location of the extent of area of water filtration, which is calculated with finite elements in the plan of DIRIHLE-NEUMANN by C + program.

The method of Difference and Finite elements of water filtration – The plan problem dirihle-neumann

Finite elements method applies not only to things in the pattern of elastic fields but also to those of hydrodynamic thermal character, filtering etc. It was taken a plan area as in diagram 1.1 and is presented points of contours-nodes.
The coordinates of contour-nodes in relation to the chosen coordinate system are shown in the table.

Tab: The coordinates of nodes in the defined area

Nr. of nodes	1	2	3	4	5	6	7	8	9	10
Abscissa X	1	1	1	2	2	3	3	4	4	5
Ordinate Y	3	5	7	5	1	3	7	5	1	3



The Diagram: 1/1 Definition-outlines of the study area-filtration

Dirihle boundary conditions with (a certain level) are:
In the contour 3-7 loads will be: $\Phi 3 = \Phi 7 = 100$ m and the contour 8 loads will be $\Phi 8 = 200$m, while the contour 10 loads will be $\Phi 10 = 300$.
The flux of resources is: q1=q5=q9=2, q2=2.5 m3/day
Coefficient of Filtration: k=100 m/day

$\Phi = \Phi \pm cons\tan t$ Does not change the choice of the differential equation

$$\frac{\partial}{\partial x}(\frac{kx}{\mu}\frac{\partial \overline{\Phi}}{\partial x} + \frac{\partial}{\partial y}(\frac{ky}{\mu}\frac{\partial \overline{\Phi}}{\partial y}) + Q = 0$$

Which means it can be used either load conditions even zero. According to the finite elements method given area divide into basic geometric finite area for example to our case triangular.

Solution: In the given model:
The number of nodes is 10
The number elements is 10
The topless of elements are:

$$\Delta_7 = \Delta_8 = 1$$

$$\Delta_1 = \Delta_2 = \Delta_3 = \Delta_4 = \Delta_5 = \Delta_6 = \Delta_9 = \Delta_{10} = 2$$

Find the system of equations for each element considering the matrix formula:

$$\frac{k}{4\Delta}\begin{bmatrix} b_1^2 & b_1b_2 & b_1b_3 \\ b_2b_1 & b_2^2 & b_2b_3 \\ b_3b_1 & b_3b_2 & b_3^2 \end{bmatrix} + \begin{bmatrix} c_1^2 & c_1c_2 & c_1c_3 \\ c_2c_1 & c_2^2 & c_2c_3 \\ c_3c_1 & c_3c_2 & c_3^2 \end{bmatrix} x \begin{Bmatrix} \Phi_1 \\ \Phi_2 \\ \Phi_3 \end{Bmatrix} + \frac{Q\Delta}{3}\begin{Bmatrix} l \\ l \\ l \end{Bmatrix} + \frac{qL}{2}\begin{Bmatrix} l \\ l \\ 0 \end{Bmatrix} = \begin{Bmatrix} 0 \\ 0 \\ 0 \end{Bmatrix}$$

$$a_1 = x_2y_3 - x_3y_2 \qquad b_1 = y_2 - y_3 \qquad c_1 = x_3 - x_2$$
$$a_2 = x_3y_1 - x_1y_3 \qquad b_2 = y_3 - y_1 \qquad c_2 = x_1 - x_3$$
$$a_3 = x_1y_2 - x_2y_1 \qquad b_3 = y_3 - y_3 \qquad c_3 = x_2 - x_1$$

For the number of nodes is chosen one direction:

The first element:
The coordinates:

Nodes	X	Y
1	1	3
5	2	1

6	3	3

$a_1 = x_2y_3 - x_3y_2 \Rightarrow a_1 = 3$ $\quad b_1 = y_2 - y_3 \Rightarrow b_1 = -2$ $\quad c_1 = x_3 - x_2 \Rightarrow c_1 = 3$

$a_2 = x_3y_1 - x_1y_3 \Rightarrow a_2 = 6$ $\quad b_2 = y_3 - y_1 \Rightarrow b_2 = 0$ $\quad c_2 = x_1 - x_3 \Rightarrow c_2 = 6$

Deter = 4 $\quad a_3 = x_1y_2 - x_2y_1 \Rightarrow a_3 = -5$ $\quad b_3 = y_3 - y_3 \Rightarrow b = 2$ $\quad c_3 = x_2 - x_1 \Rightarrow b = -5$

After replacement the elementary matrix will be:

$$\begin{bmatrix} 62.5 & -25 & -37.5 \\ -25 & 50 & -25 \\ -37.5 & -25 & 62.5 \end{bmatrix}$$

The second element:
The coordinates:

Nodes	X	Y
5	2	1
9	4	1
6	3	3

$a_1 = 9$ $\quad b_1 = -2$ $\quad c_1 = 9$

$a_2 = -3$ $\quad b_2 = 2$ $\quad c_2 = -3$

Deter = 4 $\quad a_3 = -2$ $\quad b_3 = 0$ $\quad c_3 = -2$

After replacement the elementary matrix will be:

$$\begin{bmatrix} 62.5 & -37.5 & -25 \\ -37.5 & 62.5 & -25 \\ -25 & -25 & 50 \end{bmatrix}$$

The third element:
The coordinates:

Nodes	X	Y
6	3	3
9	4	1
10	5	3

Deter = 4 $\quad a_1 = 7$ $\quad b_1 = 2$ $\quad c_1 = 7$

$a_2 = 6$ $\quad b_2 = 0$ $\quad c_2 = 6$

$a_3 = 9$ $\quad b_3 = 2$ $\quad c_3 = 9$

After replacement the elementary matrix will be:

$$\begin{bmatrix} 62.5 & -25 & -37.5 \\ -25 & 50 & -25 \\ -37.5 & -25 & 62.5 \end{bmatrix}$$

The fourth element:
The coordinates:

Nodes	X	Y
2	1	5
1	1	3
4	2	5

Deter = 2 $\quad a_1 = -1$ $\quad b_1 = 2$ $\quad c_1 = -1$

$a_2 = 5$ $\quad b_2 = 0$ $\quad c_2 = 5$

$a_3 = -2$ $\quad b_3 = 2$ $\quad c_3 = -2$

After replacement the elementary matrix will be:

$$\begin{bmatrix} 124 & -25 & -100 \\ -25 & 25 & 0 \\ 100 & 0 & 100 \end{bmatrix}$$

The fifth element:
The coordinates:

Nodes	X	Y
1	1	3
6	3	3
4	2	5

Deter = 4

$a_1 = 9$ $b_1 = 2$ $c_1 = 9$
$a_2 = 1$ $b_2 = 2$ $c_2 = 1$
$a_3 = -6$ $b_3 = 0$ $c_3 = -6$

After replacement the elementary matrix will be:

$$\begin{bmatrix} 62.5 & -37.5 & -25 \\ -37.5 & 62.5 & -25 \\ -25 & -25 & 50 \end{bmatrix}$$

The sixth element:
The coordinates:

Nodes	X	Y
4	2	5
6	3	3
8	4	5

Deter = 4

$a_1 = 3$ $b_1 = 2$ $c_1 = 3$
$a_2 = 10$ $b_2 = 0$ $c_2 = 10$
$a_3 = -9$ $b_3 = 2$ $c_3 = 9$

After replacement the elementary matrix will be:

$$\begin{bmatrix} 62.5 & -25 & -37.5 \\ -25 & 50 & -25 \\ -37.5 & -25 & 62.5 \end{bmatrix}$$

The seventh element:
The coordinates:

Nodes	X	Y
6	3	3
10	5	3
8	4	5

Deter = 4

$a_1 = 13$ $b_1 = -2$ $c_1 = 13$
$a_2 = -3$ $b_2 = 2$ $c_2 = -3$
$a_3 = -6$ $b_3 = 0$ $c_3 = -6$

After replacement the elementary matrix will be:

$$\begin{bmatrix} 62.5 & -37.5 & -25 \\ -37.5 & 62.5 & -25 \\ -25 & -25 & 50 \end{bmatrix}$$

The eighth element:
The coordinates:

Nodes	X	Y
6	3	3
10	5	3
8	4	5

Deter = 2

$a_1 = -5$ $b_1 = 0$ $c_1 = -5$
$a_2 = 9$ $b_2 = -2$ $c_2 = 9$
$a_3 = -2$ $b_3 = 2$ $c_3 = 2$

After replacement the elementary matrix will be:

$$\begin{bmatrix} 25 & -25 & 0 \\ -25 & 125 & -100 \\ 0 & -100 & 100 \end{bmatrix}$$

The ninths element:
The coordinates:

Nodes	X	Y
4	2	5
7	3	7
3	1	7

Deter = 4

$a_1 = 14$ $b_1 = 0$ $c_1 = 14$
$a_2 = -9$ $b_2 = 2$ $c_2 = -9$
$a_3 = -1$ $b_3 = -2$ $c_3 = -1$

After replacement the elementary matrix will be

$$\begin{bmatrix} 50 & -25 & -25 \\ -25 & 62 & -37.5 \\ -25 & -37.5 & 62.5 \end{bmatrix}$$

The tenth element:
The coordinates:

Nodes	X	Y
4	2	5
8	4	5
7	3	7

Deter = 4

$a_1 = 13$ $b_1 = -2$ $c_1 = 13$
$a_2 = 1$ $b_2 = 2$ $c_2 = 1$
$a_3 = -10$ $b_3 = 0$ $c_3 = -10$

After replacement the elementary matrix will be:

$$\begin{bmatrix} 62.5 & -37.5 & -25 \\ -37.5 & 62.5 & -25 \\ -25 & -25 & 50 \end{bmatrix}$$

After the replacement of elementary matrix we gain the table: 1/1

Nodes	Loads	Φ1m	Φ2m	Φ3m	Φ4m	Φ5m	Φ6m	Φ7m	Φ8m	Φ9m	Φ10m
		62.5				-25	-37.5				
		62.5			-25		-37.5				
1	SUM	150	-25	0	-25	-25	-75	0	0	0	0
		-25	125		-100						
			125	-25	-100						
2	SUM	-25	250	-25	-200	0	0	0	0	0	0
			-25	25	0						
				62.5	-25			-37.5			
3	SUM	0	-25	87.5	-25	0	0	-37.5	0	0	0
		0	-100		100						
		0	-100		100						
				-25	50		0	-25			
					62.5			-25	-37.5		
					62.5		-25		-37.5		
		-25			50		-25				
4	SUM	-25	-200	-25	425	0	-50	-50	-75	0	
		-25				50	-25				
						62.5	-25			-37.5	
5	SUM	-25	0	0	0	112.5	-50	0	0	-37.5	0
		-37.5			-25		62.5				
						-25	50			-25	
							62.5			-25	-37.5
					-25		50	-25			
							-62.5	-25			-37.5
6	SUM	-75	0	0	-50	-50	350	0	-50	-50	-75
					-25			50	-25		
				-37.5	-25			62			
7	SUM	0	0	-37.5	-50	0	0	112.5	-25	0	0
					-37.5			-25	62.5		
							-25		50	0	-25
					-37.5		-25		62.5		
8	SUM	0	0	0	-75	0	-50	-25	175	0	-25
							-25			50	-25
						-37.5	-25			62.5	
9	SUM	0	0	0	0	-37.5	-50	0	0	112.5	-25
							-37.5		-25		50
							-37.5			-25	62.5
10	SUM	0	0	0	0	0	-75	-25	-25	-25	125

By the summarized table we gain the system matrix.

$$\begin{bmatrix} 150 & -25 & 0 & -25 & -25 & -75 & 0 & 0 & 0 & 0 \\ -25 & 250 & 0 & -200 & 0 & 0 & 0 & 0 & 0 & 0 \\ 0 & -25 & 87.5 & -25 & 0 & 0 & -37 & 0 & 0 & 0 \\ -25 & -200 & -25 & 425 & 0 & -50 & -50 & -75 & 0 & 0 \\ -25 & 0 & 0 & 0 & 112.5 & -50 & 0 & 0 & -37.5 & 0 \\ -75 & 0 & 0 & -50 & -50 & 350 & 0 & -50 & -50 & -75 \\ 0 & 0 & -37.5 & -50 & 0 & 0 & 112.5 & -25 & 0 & 0 \\ 0 & 0 & 0 & -75 & 0 & -50 & -25 & 175 & 0 & -25 \\ 0 & 0 & 0 & 0 & -37.5 & -50 & 0 & 0 & 112.5 & -25 \\ 0 & 0 & 0 & 0 & 0 & -75 & 0 & -25 & -25 & 125 \end{bmatrix}$$

Whereas the matrix of the transformed system will be:

$$\begin{bmatrix} 150 & -250 & 0 & -25 & -25 & -75 & 0 & 0 & 0 & 0 \\ -25 & 250 & 0 & -200 & 0 & 0 & 0 & 0 & 0 & 0 \\ 0 & 0 & 1 & 0 & 0 & 0 & 0 & 0 & 0 & 0 \\ -25 & -200 & 0 & 425 & 0 & -50 & 0 & 0 & 0 & 0 \\ -25 & 0 & 0 & 0 & 112.5 & -50 & 0 & 0 & -37.5 & 0 \\ -75 & 0 & 0 & -50 & -50 & 350 & 0 & -50 & -50 & 0 \\ 0 & 0 & 0 & 0 & 0 & 0 & 1 & 0 & 0 & 0 \\ 0 & 0 & 0 & 0 & 0 & 0 & 0 & 1 & 0 & 0 \\ 0 & 0 & 0 & 0 & -37.5 & -50 & 0 & 0 & 112.5 & 0 \\ 0 & 0 & 0 & 0 & 0 & 0 & 0 & 0 & 0 & 1 \end{bmatrix}$$

While the vector of free terms will be: 4.730, 2502.5, 100, 500, 22500, 4.230, 32500, 100, 200, 7502, 300. After the system solution by the method of Gauss the loads in nodes results as follows. Φ1=210.825m, Φ2=168.554m, Φ3=100m, Φ4=171.827m, Φ5=231.687m, Φ6=230.898m, Φ7=100m, Φ8=200m, Φ9=246.535m, Φ10=300m

The program in the programming language C+, calculations of the filtration.

```
#include <math.h>
#include <stdio.h>
#include <stdlib.h>
#include <string.h>
#define nelem 10
#define N 10
#include "uti.h"
// functions----------------------------------------------------------------------
void write_matrix(char *name, int m, int n, float **mat);
void Donul_square_matrix(int n, float **mat);
void transform _matrix(int n, float *F, float **A, float*B,int *KF);
int  the procedure _ gauss(float**a,float*x,float*b);
void write_vector(char *name, int n, float *vec);
```

```
void Multiply_matrix_with_constant(int n, float **A, float cste);
// ----------------------------------------------------------------

int main(int argc, char *argv[])
{
int i,j,k,i1,i2,i3,ig,jg,**elems,*KF;
   float *x, *y,*F,**kel,*B,**kglobal;
   float x1, y1, x2, y2, x3, y3, a1, a2, a3, b1, b2, b3, c1,c2,c3,DET,T,konstante;
  kel=Allocate_matrix(0, 2, 0, 2);
  elems = Allocate_matrix_int(0, 9, 0, 2);
  x = Allocate_vector(0, 9);
  y = Allocate_vector(0, 9);
  F = Allocate_vector(0, 9);
  KF=Allocate_vector_int(0,9);
  B=Allocate_vector(0,9);
  kglobal=Allocate_matrix(0, 9, 0, 9);
  Donul_square_matrix(9, kglobal);

  elems[0][0] = 1;    elems[0][1] = 5;    elems[0][2] = 6;
   elems[1][0] = 5;    elems[1][1] = 9;    elems[1][2] = 6;
   elems[2][0] = 6;    elems[2][1] = 9;    elems[2][2] = 10;
   elems[3][0] = 2;    elems[3][1] = 1;    elems[3][2] = 4;
   elems[4][0] = 1;    elems[4][1] = 6;    elems[4][2] = 4;
   elems[5][0] = 4;    elems[5][1] = 6;    elems[5][2] = 8;
   elems[6][0] = 6;    elems[6][1] = 10;  elems[6][2] = 8;
   elems[7][0] = 3;    elems[7][1] = 2;    elems[7][2] = 4;
   elems[8][0] = 4;    elems[8][1] = 7;    elems[8][2] = 3;
   elems[9][0] = 4;    elems[9][1] = 8;    elems[9][2] = 7;
   x[0] =1.;   y[0] =3.0;
   x[1] =1. ;  y[1] =5.0;
   x[2] =1.0 ; y[2] =7.0;
   x[3] =2.0 ; y[3] =5.0;
   x[4] =2.0 ; y[4] =1.0;
   x[5] =3.0 ; y[5] =3.0;
   x[6] =3.0 ; y[6] =7.0;
   x[7] =4.0 ; y[7] =5.0;
   x[8] =4.0 ; y[8] =1.0;
   x[9] =5.0 ; y[9] =3.0;
     T=100.

   F[2]=100.0; F[6]=100.0; F[7]=200.; F[9]=300.0;

   B[0]=4.73;      B[1]=2.5;   B[2]=0.0;   B[3]=0.0;  B[4]=4.23;   B[5]=0.0;
   B[6]=0.;        B[7]=0.;    B[8]=2.0;   B[9]=0.0;
   KF[0]=1;    KF[1]=1;    KF[2]=0;      KF[3]=1;      KF[4]=1;    KF[5]=1;
   KF[6]=0;    KF[7]=0;    KF[8]=1;      KF[9]=0;

   for (k=0; k<nelem; k++)
     {
     i1 = elems[k][0]; x1=x[i1-1]; y1=y[i1-1];
     i2 = elems[k][1]; x2=x[i2-1]; y2=y[i2-1];
     i3 = elems[k][2]; x3=x[i3-1]; y3=y[i3-1];

     DET=x2*y3+x1*y2+x3*y1-x2*y1-x3*y2-x1*y3;
     printf ("\nDET=%.1f\n",DET);
     printf ("\n");
```

```
    system("PAUSE");

    a1=x2*y3-x3*y2; a2=x3*y1-x1*y3; a3=x1*y2-x2*y1;
    b1=y2-y3;       b2=y3-y1;       b3=y1-y2;
    c1=x3-x2;       c2=x1-x3;       c3=x2-x1;
Constant=T/(2*DET);
    printf ("\n a1=%.1f;  a2=%.1f;   a3=%.1f;\n",a1,a2,a3);
    printf ("\n b1=%.1f;  b2=%.1f;   b3=%.1f;\n",b1,b2,b3);
    printf ("\n c1=%.1f;  c2=%.1f;   c3=%.1f;\n",a1,a2,a3);
    system("PAUSE");

    kel[0][0]=b1*b1 + c1*c1;  kel[0][1]=b1*b2 + c1*c2;  kel[0][2]=b1*b3 + c1*c3;
    kel[1][0]=kel[0][1];      kel[1][1]=b2*b2 + c2*c2;  kel[1][2]=b2*b3 + c2*c3;
    kel[2][0]=kel[0][2];      kel[2][1]=kel[1][2];      kel[2][2]=b3*b3 + c3*c3;
    Multiply_matrix_with_constant( 3, kel, constant );

    write_matrix("Elementary Matrix ", 3, 3, kel );
    system("PAUSE");

  for(i=0; i<3; i++)
        {
                for(j=0; j<3; j++)
                {
                        switch(i){
                           case 0:
                             ig = i1-1;
                                 break;
                           case 1:
                             ig = i2-1;
                                 break;
                           case 2:
                             ig = i3-1;
                                 break;
                        }
                        switch(j){
                           case 0:
                             jg = i1-1;
                                 break;
                           case 1:
                             jg = i2-1;
                                 break;
                           case 2:
                             jg = i3-1;
                                 break;
                        }
kglobal[ig][jg] += kel[i][j];
                }

            }
}
write_matrix("Matrix System ", 10, 10, kglobal );
transform  _ the matrix (10,F,kglobal,B,KF);
write_matrix("the transformed of matrix system", 10, 10, kglobal);
write_vector("free terms ",10,B);
system ("PAUSE");
procedure  _ gauss(kglobal,F,B);
```

```
write_vector("Loads in nodes ",10,F);
system ("PAUSE");
return 0;
}
void write_matrix(char *name, int m, int n, float **mat)
{
   printf("%s\n", name);
   for(int i=0; i<m; i++)
   {
      for(int j=0; j<n; j++)
      {
         printf("%7.3f  ", mat[i][j]);
      }
      printf("\n");
   }
}
void Donul_square_matrix(int n, float **mat)
 {
          for(int i=0; i<n; i++)
                   for(int j=0; j<n; j++)
                            mat[i][j] = 0.0;
 }
void transform _ the matrix (int n, float *F, float **A, float*B,int *KF)
{

 for (int i=0; i<n; i++)
   if (KF[i]==0) {
     for (int j=0; j<n; j++) {
       if (j==i) {

               A[i][i]=1;
               B[i]=F[i];
               }
       else {
            B[j]-=A[i][j]*F[i];
            A[i][j]=0;
            A[j][i]=0;
            }
        }
   }
}
void write_vector(char *name, int n, float *vect)
  {
          printf("%s:\n",name);
          for(int i=0; i<n; i++) printf("%7.3f \n",vect[i]);
  }
int procedure _gauss(float **a, float *x, float *b)
{
 float s,z,w;
    for (int i=0;i<N-1;i++)
     {
       if (a[i][i]==0)
         {
          for (int j=i+1;j<N;j++)
           if (a[j][i]!=0)
              {
```

```
            for (int k=0;k<=N-1;k++)
                  {
                   z=a[i][k];
                   a[i][k]=a[j][k];
                   a[j][k]=z;
                  }
                  w=b[i];
                  b[i]=b[j];
                  b[j]=w;
            }
           else
            {
             printf ("\n** The system doesn't have solution**\n" );
             return 0;
            }
       }
   }
for (int k=0;k<=N-2;k++)
      {
       for (int i=k+1;i<=N-1;i++)
         {
          for (int j=k+1;j<=N-1;j++)
          a[i][j]=a[i][j]-((a[i][k]*a[k][j])/a[k][k]);
          b[i]=b[i]-((a[i][k]*b[k])/a[k][k]);
         }
      }
if (a[N-1][N-1]==0)
  {
  printf ("\n** The system doesn't have solution **\n" );
   return 0;
  }
else
x[N-1]=b[N-1]/a[N-1][N-1];

for (int i=N-2;i>=0;--i)
   {
   s=0;
   for (int j=i+1;j<N;++j)
    {
     s+=a[i][j]*x[j];
      }
      x[i]=(b[i]-s)/a[i][i];
      }
return 0;
}
void Multiply_matrix_with_constant(int n, float **A, float cste)
{
           for(int i=0; i<n; i++)
           {
                    for(int j=0; j<n; j++)
                    {
                             A[i][j] = cste*A[i][j];
                    }
           }
}
```

Conclusion

This scientific paper is a paper that treats the problem of water filtration with the finite elements method in the plan of DIRIHLE-NEUMANN.

Problems are determined by numerical methods with finite elements in which concrete results are obtained of water filtration, which are solved by matrix equations. Besides matrix calculations is also designed the calculation program in the programming language C+.

Finite elements method applies a wide implementation not just in aquifer areas but other current water problems. These used equations in this scientific paper are based in two conditions of appearance: DIRIHLE type and NEUMANN type.

All the results of both conditions are entered into the software program C + which program has determined the direction of the quantities of water filtrations in the Sibovc study area.
During the exited analyses results and obtained values from the DIRIHLE and NEUMANN model and calculating C + program are given these findings:

Area towards to Y-axis Y in nodes 1,2,3 and 4 and 1,4,6 and 5 are current areas with greater amounts of water q = 2.5 m3/day, which means that water filtration in these nodes is with large quantities.
Area in points of nodes 5, 9 and 6 are areas with little impact on the aforementioned location that water filtration is not sufficient quantity and less elastic.
Area in points of nodes 9, 6 and 10 water filtration affects less in this area and we based program C + equation has no solution.
Area in points of nodes 5, 6 and 9 shows an internal filtration flux and density volume and water distributed in equally way in knots.
Area in points of nodes 5, 9 and 3 represents the greatest flux of flow water due to flow of water in this triangle.

By this program can be proved that each of the terms of the Drihile equation vector and Neumann type will provide adequate choice of quantity of water which is filtered in equal order of area which is analysed. Can emphasize that enables C+ program enables orientation respectively waterfront area mapped to filter larger quantities of water with triangular outline.

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PHD. DEMIR LIMA - FOREIGN DIRECT INVESTMENT AND THE GLOBAL ECONOMIC CRISIS IN THE WESTERN BALKAN

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Abstract

The primary purpose of investment is to increase employment and development services further. In general, Eastern Europe, instead of searching of a new model more convenient to growth, is constantly hiding behind the global economic crisis. Local crisis in Eastern Europe is still very important, but it is analyzed in the context of the global crisis, which is unacceptable. We need to see exactly what the global effects are, and what are effects of the local crisis. In general, all Eastern European countries have high public spending, inefficient administration, weak investment in research and development problems and serious problems regarding the quality of education. The global economic crisis has resulted only in further reduction of the gross domestic product (GDP), increasing the deficit, unemployment, lack of liquidity in the real sector throughout Eastern Europe.Western Balkan countries are in urgent need for a transition. Previous transition has pushed countries to much larger problems than they had before. Now it is necessary to create a serious strategy of economic and legal conditions favorable economic and investment in export-oriented sectors, aimed at long-term development of infrastructure, human resources and relatively high rates of economic growth.

Key words: investment, crisis, transition, strategy, development.

Introduction

The key issue for the countries of Eastern Europe is the lack of strategy for attracting foreign direct investments.
They will not go beyond the first stage if it does not consider the economic viability of the investment, the real motives for the arrival of foreign investors and the origin of their capital. FDI will not be in order to increase the competitiveness of their companies, the international competitiveness of their products, increase employment and achieve better standard of living.
The largest green field investment is the mobile operator Promonte. Other Greenfield investments are usually associated with the services sector, such as the Hotel Splendid, the financial sector, such as Hypo Alpe Adria Bank and LB Leasing. Investments in production were weak, bottle factory Coca-Cola is an example which has invested € 2,000,000.

An overview of foreign direct investment

Promonte company is an example of the importance of an investment in the economy of a country. The Company was established in 1996 and marked the arrival of the first foreign investors in Montenegro, Greece - Norwegian consortium ETL (European Telecom Louxembourg), which consists of Telenor Mobile Communications AS com Investment, West and South Tel Topstar Shipping. Telenor is the leading telecommunications company in Norway and has major investments outside the country of origin, Hungary, Russia, Southeast Asia and Montenegro.
This was the first operator in Montenegro which began to write the history of mobile communications on 10 July 1996. Promonte has been a part of Telenor family from the first day, and since 11 August 2004 it has been owned 100% by Telenor. Headquartered in Norway, Telenor is the mobile operator in the world's seventh largest with nearly 150 million subscriptions in 12 mobile operators in Europe and Asia.

Telenor is emerging as one of the fastest growing providers of mobile communications services worldwide. Since the launch of GSM in 1996, Promonte is positioned as an operator with quality within the parameters required by focusing its products and services in the simplicity of tariff structure and courtesy to users. Promonte, has licenses of GSM, 3G and WiMAX technology, offers roaming, value added services and mobile data services over GPRS, EGDE-3G-HSDPA, WiMAX-WiFi to its subscribers with prepaid and postpaid.

Being among the most attractive employers in Montenegro, Promonte currently has nearly 300 employees, of whom more than half are university graduates. Of the total number of staff, 45% are women and they are equally represented in the management of the company. In Montenegro, the total FDI in 2008 amounted to 685 million euro and were little more than 2007 came to 678 million euro. However the structure of the flow, FDI had most of investments in real estate, which, according to the Central Bank of Montenegro, was also 51% or more than half of the 1 billion EUR in 2007. In 2008, almost 40% of FDI was invested in real estate, and 30% in companies and local banks, or debts between companies.

These data are of serious concern. Experience has shown that foreign direct investment in Montenegro have not increased production or have not introduced new products to market internationally competitive, but are mainly used for personal consumption. FDI in Montenegro are used for attractive purchases on the sea coast of Montenegro and other resources which are not directly in the creation of gross domestic product, and increase the efficiency of the local economy.
FDI should contribute to the development of enterprises and this is the best chance for long-term growth in production, employment, exports , increase the level of competitiveness and quality of life. FDI in Montenegro are in a function of consumption, which is an economic anomaly. The statistics for 2009 are slightly different. In the first two quarters of 2009, capital and financial account recorded an overstock of 290.9 million euro, which is much less than what was recorded in the comparative period of 2008 (698.4 million euro).

The net inflow of foreign direct investment in the first two quarters of 2009 amounted to 323.5 million euro, which is 1.1% more than in the same period of 2008. The total inflow of FDI in the reporting of FDI and the global economic crisis in Eastern Europe in this period amounted to 396.2 million euro. The structure of FDI changed significantly compared to previous years, when investments in real estate were widespread. Investing in local companies and banks has increased in the first half of this year, amounting to EUR 231.4 million or 38.9% more than in the comparative period of 2008.
So 83.1 million euro (21%) was in the form of debt between companies, and investments in real estate amounted to 81.4 million euro (20.6%) or 52.5% less than in the comparative period. Most investments in the reporting period came from Italy, Great Britain and Austria. Next recapitalization of EPCG (Electric Power Company of Montenegro) and announced capital investments created real conditions for an influx of fresh capital and positive effects of economic diversification.
In structural terms, the situation in Serbia is similar. Serbian Privatization is almost complete, but the expected effect has failed to take shape, local companies have become very competitive in the international market and have started to create new jobs in the sector which should be export oriented. One can say that Serbia's economic structure is a consequence of the economic downturn in the late 20th century privatization and economic policies from 2001 to 2008. Serbian Privatization is implemented in the following way: companies are often sold to the owners of suspected capital.
FDI through privatization has meant selling the property. Owners use the assets to maximize short-term goals and not to boost employment and long term economic activity. New jobs are created mainly in sectors that are able to export (financial intermediation, trade, real estate, rental services). The model of development in Serbia is mainly based on banks, shopping centers, bookies and building luxury housing and business facilities. In this way Serbia can’t build an important export industry capable of supporting the economy.

If you look at the structure of gross value added (gross domestic product without taxes and subsidies) for 2009, 60% of GDP comes from services, and only 29% from industry and construction.

Albania has the same approach in attracting foreign direct investment, although the data show that foreign direct investment increased in 2009. In the first nine months of 2009, Albania has drawn 565 million euro of foreign direct investment, which is 214 million more than in the same period of 2008. the structure of foreign direct investment in Croatia is still dominated by investments in financial intermediation. The largest amount of total direct investments came from Austria (325 million euro), and since 1993 investments worth 6.1 billion euro have been poured from Austria to Croatia, which is a third of the total investment.

Balance of payments deficit in Croatia in 2009 will be covered by FDI and their further decline in 2009 was among other things due to the global economic crisis. It is clear that all these countries have the same problem. They do not use foreign direct investment projects or export production. In this way, the crisis in which Eastern Europe has been for a long time even further deepens. Another structural problem of Eastern Europe is the following one: a model of economic growth of all countries is based exclusively on FDI, which is a very big mistake.
If they are dependent only on FDI and not thinking about the production, export competitiveness and a better quality of life they are forced to become a loser in the long term.
FDI should be a permanent value, and not the parameter in which economic growth model is based currently. Regarding industrial production Montenegro has seen a significant decrease of 32.2%. Furthermore, Montenegro is faced with the problem of undeveloped industrial processing. On the other hand, Montenegro has a highly developed sector of services, which is the result of the final expenses arising from foreign direct investment.
The service sector should be consistent with the manufacturing sector in any economy. For example, the timber industry, which has the potential export, the most important items of export are treated simply as raw wood or wood. This product export of Montenegro has a low degree of processing, low added value and is often based on insufficient productive use of existing natural resources.
The main export product in Montenegro is aluminum. In some sectors, especially in the production and processing of metals should not expect dramatic failures. In the case of a small economy like Montenegro, the bankruptcy of a big company like (Aluminium Smeltery) can have catastrophic consequences. (Aluminium Smeltery) (KAP) was sold to Russian CEAC (Central European Aluminium Company) and KAP accounts for 40% of GDP.

In the case of Serbia the global crisis has hampered a part of capital inflows from abroad. This showed that Serbia has no economic structure capable of productive employment of citizens, to convert debts and maintain macroeconomic stability. Despite the development of the Serbian economy 2001-2008, Serbian industrial production is reduced about 50% compared to 1990. For example, the total value of construction work performed by container workers first quarter of 2009, compared with the same period last year, decreased by 11% at current prices, and 17% at constant prices.
The value of contracts in the first quarter of 2009 compared to 2008 at current prices decreased by 45.5% and the number of building permits issued decreased by 16.7%. Moreover, what will happen when Montenegro (and elsewhere) will privatize all state enterprises and implement FDI through privatization? On what basis will build its own model of economic growth?
The privatization process has been initiated, with restructuring programs approved for the following companies: "Zeljeznice Crne Gore", "Montenegro Airlines" and "Posta Crne Gore". Preparation and implementation of public procedures for selection of investors for implementation of projects related to the assessment exclusive tourist locations: "Ada Bojana", "Velika Plaza", "Njivice", "Utjeha", "Buljarica" and "Jaz". Montenegro expects a lot from building the highway Bar-Boljari, because investment should undertake more activities.
It remains an open question how it will help long-term investment in Montenegro, which does not have a building industry well developed, metal industry or wood industry.

We should hope that these investments will increase employment and development services further. In general, Eastern Europe, instead of looking for a new model, more convenient to growth, is constantly hiding behind the global economic crisis. Local crisis in Eastern Europe is still very important, but it is analyzed in the context of the global crisis, which is unacceptable.

We need to see exactly what the global effects, and what are the local effects of the crisis. In general, all Eastern European countries have high public spending, inefficient administration, poor investments in the areas of research and development and serious problems regarding the quality of education.

The global economic crisis has resulted only in further reduction of the gross domestic product (GDP), increasing the deficit, unemployment, lack of liquidity in the real sector throughout Eastern Europe. The most dramatic example is Croatia, which has been the problem of external debt for years. In 2009 the Croatian GDP amounted to around 39 billion euro. Foreign debt at the end of 2008 amounted to 39.1 billion euro, and for the first time in history was greater than the annual GDP.
Western Balkan countries are in urgent need for a transition. Previous transition has pushed them to the larger problems than what they had before. Now it is necessary to create a serious strategy of economic and legal conditions favorable economic and investment in export-oriented sectors, aimed at long-term development of infrastructure, human resources and relatively high rates of economic growth.

At the end of 2009 the share of foreign direct investment (FDI) to the gross domestic product (GDP) in Albania has been the highest in the region (8.1%), followed by Croatia (4.61%), Serbia (4.5%) , Macedonia (2.7%) and Bosnia and Herzegovina (1.4%). Note that the expansion in FDI during the last three years in Albania associated with a decline of FDI to other countries in the region. During this period the calculation to take into consideration is the maximum value of FDI to GDP has reached Serbia in 2006 (17%) and this country has reached the minimum value of FDI to GDP in 2000 (0.85%).

Foreign direct investments are one of the most important indicators and important enough to show the value of foreign investor confidence towards the host country and are towards the reduction ratio in terms of economic and political crises and grow in terms of improving the economic and political environment.

Macedonia has 5 times less investment than Albania. Investments in Macedonia are reduced and even in future years can't be warned any economic growth but is expected to have the trend of falling. This conclusion is taken by economic experts based in the country's disinterest to attract foreign investors over although the country has a large number of industrial zones.
According to them foreign direct investment in the country and around are based on 'improving the business environment, the establishment of security in the state and the privatization of large companies that were owned by the state' '. The data show that investments in Macedonia counted as the poorest in comparison with regional countries because in 2009 in Macedonia are invested only 181 million euro, in Albania are invested about 565 million euro and at the same year in Kosovo are investing 310 million euro.

In Albania during 2009 Foreign Direct Investment (FDI) increased by 45% compared to 2008, but only in the first half of 2009 in Albania are invested 565 million euro from 351 million euro that were a year ago. Even in Kosovo, the situation is much better than in Macedonia since the investments in 2009 were about 310 million euro although a year ago were 30% higher which means about 355 million euro.

We left behind the 2013 a year with several economic problems. For the purpose of this paper will address the situation of foreign direct investment in the countries of Eastern Europe. Eastern European countries were not only affected by various political crises, economic and social but also share their important instruments other common features of transition economies such as the level and pace of development and distortion of the market economy. Economic conditions that are hindering Europe now again are restricting economic activity and government revenues in these countries.
Southeast European countries reached an economic growth of 2.2 million euro in 2011. According to ongoing economic analysis indicators show that economic growth in these countries has slowed drastically, was received very little growth in the coming years. In Regular Economic Report of the World Bank's Southeast Europe, was confirmed that the economy of Eastern Europe began to recover from the recession of 2012 being increased on average 2.2% in 2013. The report also said future

prospects, saying that economy will grow by 1.9% in 2014 and 2.6% in 2015 thanks to increased foreign demand. Recent floods that occurred in the region lessened some extent hopes for economic growth.

Floods that occurred in Bosnia and Serbia because of rainfall in May 2014, the humanitarian crisis caused dozens of deaths. Obviously this situation caused casualties and economic damage of the pace of economic growth. In 2013, each of the countries of Eastern Europe recorded positive growth. Growing at 3 percent or more were recorded in Kosovo, the former Yugoslav Republic of Macedonia and Montenegro.A good year for agriculture and industry growth supported economic activity in the region in all states.

Eastern Europe: Real GDP growth in percentage

	2012	2013	2014	2015
Albania	1.3	0.4	2.1	3.3
Bosnia	-1.1	1.8	2	3.5
Kosovo	2.7	3	3.5	3.5
Macedonia	0.4	3.1	3	3.5
Montenegro	-2.5	3.5	3.2	3.5
Serbia	-1.7	2.5	1	1.5
EJG6	-0.7	2.2	1	2.6

Note: Weighted average of GDP.2013 is rough estimate. 2014 and 2015 are World Bank staff projections.
Source: World Bank

Eastern European countries find themselves faced with some facts public debt level too high, funding pressures, both these facts lead to one direction, Europe should adopt broad programs of fiscal consolidation to change the situation with debts. Other factors affecting the economic level of these countries are Greece's economic crisis. Of course this kind of crisis will make the authorities to require banks to increase their reserves and to make the sector more resistant.
In 2013, Eastern Europe began to recover from the recession, "Economic growth was made possible thanks to the growing demand for regional exports from countries with high income, especially from the countries of the European Union (EU).

According to the report, exports increased by nearly 17 percent in 2013 led by a rapid increase in Serbian exports. The main growth in 2013 came from the export of machinery and transport equipment, mainly from Serbia and Macedonia. Meanwhile combustible minerals exported from Albania and Montenegro were more significant for these two countries, while base metals took about a quarter of exports from Kosovo in 2013.

In contrast, domestic demand in the region shrank in 2013. Another problem in this regard is that unemployment and poverty are higher in Eastern Europe than in any other European country. Domestic demand has been more under pressure from reduced remittances to the region in 2013, reflecting a still sluggish economic recovery and high unemployment predominantly in EU countries.
With few jobs open, reduction of remittances and limited credit in the economy, household income and profits of companies were not able to promote domestic consumption and investment in the region. "In general, while the recovery has brought growth, countries in the region have limited access to the translation of economic recovery in jobs," "Unemployment has been very high in the region, with an average level of over 24 percent in 2013.

Conclusion

Continuing high levels of unemployment and chronic unemployment prevailed among vulnerable groups, such as youth, women, and people with low skills. "According to the report, the challenges are still present and require action on financial and fiscal sectors. Mitigation of bad loans high and growing, the resumption of credit growth for businesses borrowing, consolidation effort determination to maintain fiscal balance and public debt reduction would lead to acceleration of economic activity. To support growth in the region, countries should further strength the foundations of macro-economic internal to help increase production and resistance to external disturbances.

Moreover, the economic recovery recently is an opportunity to re launch structural reforms long needed. The advantages for growth and creation of new work places include macro-economic and fiscal stabilization, improving competitiveness and connectivity, increase skills and labor productivity, and strengthen governance and anticorruption.
Together with the recovery, it is time that attention should be focused on creating an investment climate stimulating growth in exports and connectivity support.

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DRITON SYLQA, EMIN NEZIRAJ – ECONOMIC EFFECTS OF GLOBALIZATION IN SEE COUNTRIES WITH SPECIAL REFLECTION OF KOSOVO'S EUROPEAN INTEGRATION STRUGGLE

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Abstract

The year 2014 was a difficult one for south-eastern European countries (SEE), including Kosovo. Thus, the aim of this paper is to provide an overview of economic performance of SSE countries in light of globalization, with special reflection on Kosovo's efforts toward European integration processes. Official statistical data are used for analyses of different features that helped identifying the most important reasons that causing Kosovo to lag behind in achieving its European aspirations. Moreover, comprehensive political analysis of various factors with significant impact on economic stability is conducted to be able to propose the concrete structural reforms that would ensure higher economic growth and hence macroeconomic stability.

Introduction

The global economy is still struggling to gain momentum as many high-income countries continue to struggle with the legacies of the global financial crisis, whilst emerging economies are less dynamic than in the past. After rise 2.6 % in 2014, world GDP is estimated to grow 3.0 % in 2015 according to the World Bank. Whereas, developing countries are expected to see an increase in growth from 4.4 % in 2015 to 4.8 %. Lower oil prices will lead to sizeable real income shifts to oil-importing countries from oil-exporting ones. Risks to the global outlook remain tilted downwards. Developing economies face significant policy challenges in an environment of weak global growth and significant uncertainty. Progress on implementing structural reforms must be continued to boost long-term growth. The fragile global viewpoint makes the implementation of growth enhancing policies and structural reforms even more critical to improve the probability of achieving the World Bank objective of ending extreme poverty by 2030. (World Bank, 2015).

Kosovo, as opposed to globalization attitudes, faces numerous of challenges. The rule of law in Kosovo, including judicial independence, and limited results in the fight against organised crime and corruption remains a major concern. Whilst, Kosovo is also the only European country in which the EU has experimented legally on how to relate to a state without treating it as independent and sovereign. Since 1999, relations between Kosovo and the EU are co-dependent, since the Kosovo's objective was to integrate with the EU. EU guidance and support did not yield concrete results for the integration process of Kosovo with the EU. Since 2003, compared to neighboring countries, Kosovo lags behind in the integration process falls short of its aspirations for integration, and cannot keep commitments set forth by the European Union.

Why referring once more to globalisation?

The present trend of globalisation underscores the decisive role of industrial development in minimising the level of marginalisation connected with globalisation. The process of globalisation has given increase to greater competition towards markets and investments. Changes that are sweeping rapidly across the business world have forced businesses and nations to adapt by striving to change old economic behaviours and traditions. Industrial development has become an imperative recourse for underdeveloped economies, in that it must be seen as a key component of their development process. The role of the industrial sector in the newly industrialising countries has further intensified the appeal and the compelling urge for industrialisation for the third world countries.

Foreign investments are considered to have played a very important role in rebuilding the economies of the countries of Eastern Europe and Central Europe during their transition from centrally planned economies to market economies. Of long was recognized that FDI brings benefits for these countries, FDIs are important because they include bringing new technologies and knowledge to domestic firms, increased competition, and further increasing access for exports abroad. The distribution of FDI among developing countries is irregular: some of them have more difficulties to attract foreign investment than others (E-commerce and development report, 2011).

On the other hand, today's global business must be agile and responsive to be competitive. Innovations in information and communication technology can thus be major drivers of globalisation, making possible a networked, interdependent global economy traversing nation-states (Morrison, 2012). The critics argue that today's globalization is only superficially different from the old colonialism. Trade liberalization is a key to globalization. Developing countries have not benefited from this because developed countries have raised barriers to exports from the developing countries.

The role of knowledge and innovation in development policies in transition countries

Governments are eager to foster innovation and creation of knowledge. Nevertheless, countries at various stages of development differ in terms of their capacity to use and create knowledge. These capacities are shaped by the quality of institutions, macroeconomic stability and the functioning of product, labour and financial markets. They are also influenced by specific circumstances that underpin countries' ability to access existing technologies, effectively absorb them and create new ones. Transition countries perform reasonably well in terms of access to technology, but lag behind advanced economies and many emerging markets when it comes to absorptive and creative capacity. The analysis of national innovation policies reveals that they appear surprisingly similar, despite the underlying differences in countries' levels of development and strategies pursued by firms to acquire knowledge (through in-house research or by purchasing patents, licences or know-how). In particular, the innovations policies in the region tend to follow trends set by countries at the global technological frontier and focus on the creation of technologies (EBRD, 2015).

However, a one-size-fits-all approach such as this may not suit the circumstances of many of the transition countries. Given that these countries are yet to close the gap with the technological frontier, policies need to prioritise improvements in countries' absorptive capacity. Such improvements can be achieved through better secondary education and professional training, better management practices and policies that alleviate credit constraints. While innovation systems should imitate the governance and general design of advanced countries' innovation policies, policy instruments and priority areas need to be tailored to reflect an individual country's specific conditions. As countries develop and approach the technological frontier, innovation policies must evolve. They need to place greater emphasis on helping firms improve their capacity to create knowledge – by facilitating the supply of specialized skills and specialized finance, strengthening competition and facilitating the entry and exit of firms. Vertical innovation policies that offer support for particular sectors require high standards of governance to be effective and may not suit the circumstances of many transition countries.

The role of government in sustaining innovation

Every country acknowledges the importance of innovation for long-term growth. This is most noticeable in countries where the easy options have been exhausted and future growth depends on more efficient ways of combining inputs or producing new or improved outputs. Furthermore, the creation and spread of new knowledge are associated with significant market failures. For example, an individual firm deciding whether to invest in research and development (R&D) may fail to take account of the potential for positive spillovers to occur as the knowledge created becomes available to the wider economy. Such externalities call for government action. Governments can support innovation directly, either by funding public research or by encouraging private investment in research and innovation (for example through support for the transfer and spread of technology, support for venture capital, seed capital and R&D, and innovation-related tax incentives or incentives fostering cooperation between industry and science). They can also foster innovation indirectly, by providing a suitable environment for firms that are willing to invest and innovate. The policy mix should take account of potential externalities stemming from innovation by individual firms, as well as the degree of competition within the relevant sector. Most policy options will favour one sector over another, and some sectors may require specific interventions.

This may force governments to make difficult choices, striking a balance between direct support for innovation and improvements in the general environment. Furthermore, the legacy of centrally planned innovation systems still looms large over much of the EBRD region – particularly in the former socialist countries, where most research work was conducted by special research institutes, rather than universities or private companies. Although the pure science and innovation that resulted from these top-down systems was sometimes very advanced, it often failed to translate into commercially viable applications, as links with industry were weak. While there are examples of innovative companies subsequently emerging from these environments, the interface between research and the rest of the economy remains rudimentary at best. (WB, 2013).

Investments in transition countries

Over the last decade, has felt an increased level of Foreign Direct Investment (FDI) mainly in developing countries, and since 1989, also in terms of countries of Central and Eastern Europe. FDIs in transition economies of these countries are often studied recently for its innovation as a phenomenon and for its importance in growth and development of the region.

It is long accepted that the benefits of FDIs to these countries are important and include bringing new technologies and knowledge to domestic firms, "leakage" of productivity (spillovers), increased competition, and further increase access to exports abroad. Moreover, FDI is a preferred way of financing the deficit (which is quite high in countries in transition), since FDI flows do not create debt. Thus, despite some negative effects that FDIs may have on host countries, for the countries of Central and Eastern Europe, is considered an important source to help them to rebuild the economy and pass the period of transition to a market economy. In this region, some countries have performed better than others in attracting FDI flows, especially when comparing the two main groups: Central and Eastern Europe.

With the EU expansion toward the east and the south of the continent, the Western Balkans is continuously considered from actual and potential investors as the next Europe high value location. FDIs in the Western Balkans have been drawn mostly through the privatization process, while the level of Greenfield investments has been generally low. The services sector has attracted more FDIs, while the home countries of most of the investing companies are Italy, Greece, Austria, Germany, Hungary and Slovenia (EBRD, 2015).

Estimates on economic performance in SEE countries

The year 2014 was not a easy one for south-eastern European countries (SEE). As of October 2014, weighted average growth is estimated at 1.7 %, a full percentage point below the 2013 figure. The release of the third quarter, specified a significant downgrade in growth estimates in several cases, but

also improved estimates in a couple of others. The main downward revisions were in Serbia and Montenegro. In Serbia, the damage to vital sectors of the economy from major floods in May 2014 was worse than expected. As a result, GDP is likely to have dropped by about 2 % for the year as a whole.

Economic performance in Montenegro has been disappointing, possibly compounded by difficulties in Serbia and Russia as well as a delayed investment agenda, and growth last year is likely to have been around 1.3 %, rather than the 3 % originally expected (EBRD, 2015). According to EBRD report, also lowered growth estimates for Kosovo by a full percentage point (from 3.5 to 2.5 %), based on weak first quarter data and the general sluggishness of other economic indicators. On the positive side, the economy of FYR Macedonia has been powering ahead on the back of strong export performance and rising personal consumption, and growth is likely to have been close to 4 %. In Bosnia and Herzegovina, the impact of the floods in May was less severe than originally feared, and exports and retail sales have helped to maintain growth in positive territory. The estimates for Bulgaria and Romania remain unchanged, while we have lowered the growth estimate for Albania marginally, from 1.7 to 1.5 per cent, reflecting weak second quarter data released after our September forecast was published. Looking ahead to 2015, most countries can expect a modest gain from the dramatic reduction in the oil price.

Nevertheless, the overall outlook remains subdued, reflecting country-specific constraints. The main downward revisions are in Bulgaria and Serbia. In Bulgaria, the resolution of the banking sector difficulties that occurred last year has been delayed, which is likely to limit fiscal space and credit growth in the current year. Elsewhere, are expected a rebound in Montenegro on the back of strong FDI inflows and progress on a major highway project, raising the predicted forecast from 2.5 to 3 %, and FYR Macedonia is now likely to grow at 3.5 % with continued strong export performance. Positive terms of gains are also being offset by country-specific factors and/or weak external demand outlook in Albania, Bosnia and Herzegovina and Kosovo, where given forecasts have been maintained (EBRD, 2015).

General reflection on socio-economic situation of Kosovo

Kosovo is ranked among the poorest countries in the world, with 30% of the population below the poverty line. The average annual per capita income (PPP) is at $7,400. Unemployment is a significant problem that encourages outward migration and a significant informal, unreported economy. Inefficient, near-subsistence farming is common, the result of small plots, limited mechanization, and lack of technical expertise. Kosovo's unemployment rate is about 45%, the highest in the western Balkans. The unemployed in Kosovo are mainly young people, women, and those with limited education. According to the Human Development Index, Kosovo has not made visible progress in recent years (BTI, 2004).

Kosovo's economy is hampered by poor natural resources, an underdeveloped industrial sector, ageing equipment, insufficient investment, and a labor supply that exceeds demand. Still, the main problem remains that the economy relies strongly on the Kosovo-Albanian diaspora, and on the international community's assistance.

According to the NGO "Çohu", corruption has made Kosovo almost impermeable for other businesses, except for those with political connections. Publicly owned enterprises in the fields of energy, electricity, telecommunications, postal services, railways and air traffic are believed to offer ample opportunities for corruption, which created a monopoly. The privatization of public companies was fraught with irregularities, and was opposed by the public and experts, who objected that the country's economy, energy sector and citizenry would not benefit from it. Soon after the KEDS privatization decision, the Energy Regulatory Office decided to raise electricity bills by 8.9% in a country where 16% of citizens live on $1 per day, and the unemployment rate is between 40% and 45% (UNDP, 2013).

As of march 2015, government announced its objective to decrease the VAT from 16% to 8% for basic commodities. VAT differentiation by applying lower rates for the basic commodities and applying 0% rate for the primary agricultural products with the aim to increase domestic production and hence reduce imports of agricultural products. Although, a formal decision was not taken yet, decreasing the VAT threshold aims at creating fair and more competitive environment for doing business for small and medium size businesses.

Economic performance

Kosovo made limited progress on its path to become a functioning market economy. Substantial efforts are needed to tackle structural weaknesses to cope with competitive pressures and market forces within the Union over the long term.

Economic growth remained positive at 3.4 % but did not yield any improvements in labour market conditions. High external imbalances persist despite some narrowing of the trade deficit. Macroeconomic stability was broadly preserved despite significant pre-election ad hoc increases in current expenditure, in particular on wages and pensions. Such practice deteriorates the transparency, predictability and credibility of fiscal policy, complicates fiscal planning and shifts the composition of spending towards less growth-friendly expenditure (EU commission report. 2014).

Strengthening fiscal planning and effectively implementing the fiscal rule is vital. Moreover, decisions on large infrastructure projects, such as in the transport sector, should be based on proper cost-benefit evaluations to maximise economic benefits. In view of the persistent and very high unemployment, efforts should be undertaken to facilitate private-sector development through improvements in the business environment. To that end, obstacles arising from weak administrative capacities, difficult access to finance and lengthy and complex privatisation procedures should be swiftly addressed. Government must secure a properly functioning legal and judiciary system, enhance contract enforcement and effectively reduce delays in courts, as well as economic statistics need to be improved (WB, 2015).

Investments in Kosovo

Foreign Direct Investment (FDI) Flow to Kosovo has been declining from year to year given unfavorable business climate around the globe. Today, Kosovo is facing fierce regional competition in attracting more FDI. According to the World Bank statistics, there has been a 30% decrease in FDI flows from 2011 to 2013 in Kosovo. This trend continued throughout last year, although the official statistics have not been published yet (American Chamber of Commerce, 2012). The amount of FDI flows in Kosovo still remains one of the lowest in the region. Experience from transition economies shows that FDI is directly linked to the increase of exports and was the main contributor in the generation of new jobs, improvement of the overall economic and political stability. In order for FDI flows to increase, the investors need to gain the confidence that they can operate in an environment that is free of any undue political interference. The recent criticism of certain political figures from the local and central levels directed against a number of companies regarding compliance with environmental laws will have a negative impact not only on the protection of the environment. This is due to the fact that criticism in the form of political rhetoric that is not substantiated by facts neither improves the protection of the environment, nor helps Kosovo build an image of a country which is governed by the rule of law. According to the Business Registry data, there are over 2,000 companies of foreign and mixed ownership that have already used the opportunity to invest in Kosovo. The large amount of foreign companies operating in Kosovo is a living proof of the opportunities and benefits that the country offers, and also represents a base of quality products and a sufficient service-providing community (Central Bank of Kosovo, 2015).

Investment has shown a slight decrease in real terms in 2014. This has been observed in particular in private investments, mainly because of the uncertain political situation which persisted during June-November 2014, thus influencing the behaviour of economic agents. The latter may be opting to save

instead of invest while standing by for a resolution of the political situation. This reaction is signaled by the (observed) increase in deposits within the banking system, as well as the fact that the import of investment goods (mainly construction goods) has fallen. In addition, companies'declared turnover has fallen compared to the same period of 2013, especially in trade, construction and the processing industry. On the other hand, a part of remittances goes into private investment in the form of investments in real estate, which has alleviated the effect of the aforementioned negatively contributing factors (Government of Kosovo, 2015).

Obstacles / barriers to economic growth

The business environment in Kosovo reflects the numerous problems that relate to the degree of informality, regulatory, environment, etc. SMEs in Kosovo face with multiple barriers which inhibits starting their business or development. For greater utilization of capacity of SMEs unfair competition should be eliminated, monetary and financial policies to mitigate financial funding shortages should be implemented, stabilizing macro policies should be applied, and free trade agreement should be signed and applied with countries of the region and beyond. In order to be competitive SMEs should improve the quality of products and services by utilizing technological innovation, and stimulating qualified personnel.

On the other hand, rule of law and continuously rising rates of unemployment present a mixed picture. While labor regulations are flexible and taxes low, there are segments of business environment which are considered a significant obstacle to economic growth. For example, in the area of construction licensing, Kosovo lags significantly behind the peers in the region; more than 140 days are required to obtain a construction-related permit in Kosovo, compared to an average of around 80 days in Eastern Europe and Central Asia (BEEPS, 2013). Kosovo firms rank ―practices of competitors in the informal sector‖ as the single biggest constraint to their business growth: 57.8 % of the Kosovo firms, compared to 11% in Montenegro, 16.1% in Serbia, 19.9% in Albania and 34.8% in Macedonia.

What kind of reforms needs to be done?

Herein are suggested key areas of reforms relevant for the overall macro-fiscal framework and policy strategy. The short summaries are presented below:

tax system reform;
creating an investment and employment fund;
proper privatisation module and acceleration of the private sector;
reforms aimed at improving financial stability;
information on labour market flexibility, tax and benefit systems, and wage bargaining;
labour market reforms;
information on the pension system;
health reform;
increasing efficiency of public expenditure;
information on wages and employment policies in the public sector;
a properly functioning legal and judiciary system

EU vs Kosovo concerning Stabilization-Association agreements

The first agreement ever to be offered to Kosovo, considered to have an important role in its economic development, was the trade agreement. For years Kosovo has enjoyed trade preferences within the "autonomous trade measures" the European Union announced for all countries of the Balkans region. Since production in Kosovo has not made significant progress from this unilateral liberalization, the profit was modest. Meanwhile, all other countries of the region have reached Stabilization-Association Agreements with the EU and provisional Stabilization-Association agreements. Kosovo remains the only Balkan state without such an agreement. For a long time Kosovo was cut-off "autonomous trade measures" because there lacked the consent in the EU to extend them after they expired.

The Commission admits that unilateral trade measures alone are not sufficient to stimulate the necessary investments in Kosovo's economy and for production. The Commission reasoned in 2009 that EU Kosovo trade relations based solely on autonomous trade preferences do not offer a substantive perspective for the sustainability of Kosovo's long-term economic development. Such a perspective can only be provided through a trade agreement between the European Community and Kosovo. A trade agreement offers important advantages for both Kosovo and the EU. An agreement provides a legal framework offering stability and predictability to investors. Kosovo received this offer with enthusiasm. In the following spring, the Kosovo government received a questionnaire. Yet, Kosovo did not treat this offer seriously. Kosovo authorities delayed drafting the required studies. However, due to the lack of unity regarding the status of Kosovo, a discussion was opened in the EU surrounding the framework for signing this agreement and the parties that were to sign it. Thus, both Kosovo and the EU lost the momentum required to reach a trade agreement. Usually such an agreement could be negotiated within several weeks.

Croatia negotiated the SAA in five months; the trade part is only one part of it. Now, more than three years after the offer for a Trade Agreement, Kosovo's fate is unclear. Based on statements of Kosovo officials, it seems that they forfeited this offer while waiting for trade to be covered by a future SAA. This approach is imprudent because achieving the SAA might take several years and disagreements surrounding Kosovo's status jeopardizes the achievement of a SAA (KFOS, Forum 2015).

Drama of the EU integration process of Kosovo

Kosovo's progress lags behind other countries of the region. Consequently, there is lack of economic development in Kosovo, underdeveloped democratic standards and impeded democratic functioning of the state. Kosovo's slower progress makes the integration process with the EU more challenging than it was for the countries in the region. One objective reason for this is because conditions for EU integration continue to increase. This is currently the case in the dialogue for Kosovo regarding visa liberalization. For example, Kosovo is asked to meet conditions at the onset of this process that, for other countries in the region, were formerly conditions to be met at the end of the process. It is likely that this will happen with the steps for the process of membership in the EU (KFOS, Forum 2015).

To become an EU member, a candidate country must translate laws, pass the laws and demonstrate a strong basis to implement them. This is challenging for an underdeveloped and poor country like Kosovo, whose GDP is lower than the 7 % average of the 27 member states of the European Union. Kosovo's relations with the EU are as follows:

Fourteen years after launching the SAA process, Kosovo is not formally included;
Six years after declaration of its independence, Kosovo has no agreement with the EU that would mark first contractual relations;
Since the declaration of independence, the gap has widened between Kosovo's progress towards EU integrations and other countries of the region, which have moved much closer to achieving EU integration than Kosovo;
Kosovo is the only country of the region that does not have a bilateral agreement with the EU to regulate trade;
The EU financial assistance for Kosovo, which was considered to be the most in the world per capita, and the significant presence of EU in Kosovo have not sufficiently improved the rule of law;
Still, there is no confidence in Kosovo authorities' willingness to reduce corruption and organized crime;
There is no consensus in the EU on Kosovo's status, despite the fact that it is considered to be a priority in the common Foreign and Security Policy of the EU;
The lack of consensus on Kosovo's status continues to be the main political and legal obstruction to advancing formal relations between the EU and Kosovo;
The EU member states, with some exceptions, have lost interest in engaging Kosovo in integration processes;
Without a change of attitude from both sides realization of Kosovo's aspirations for a European future will remain only an agenda on the table;

Conclusion

Based on what was argued in this paper, it may be concluded that the Western Balkans' was unable to generate significant employment gains during the boom years and registered large job losses during the global crisis. A comprehensive set of reforms will be needed to address the region's persistently high unemployment, and this paper finding of a significant positive impact of structural reforms on the probability of employment is worth highlighting.

Despite a moderate economic recovery over the last decade, Kosovo continues to face difficult economic conditions coupled with the highest rate of unemployment and the lowest rate of domestic production in the Balkans. Kosovo's economy has continued to withstand financial turbulence in the euro area fairly well, reflecting inter alia limited integration into cross-border financial markets. Real GDP growth in 2015 is estimated at symbolic 2.8% according to World Bank prediction. Going forward, a possible deterioration in labor market conditions in central European countries—where most of the Kosovar diaspora lives—could negatively affect FDI and remittances.

Based on what was argued in this paper, it may be concluded that globalization events has a tremendous impact in attracting investments in transition economies. Worldwide, the link between globalization and greater economic integration has - alongside the benefits - increased vulnerabilities, whereby economic failure in one country can rapidly infect other national economies. While it is argued that the global crisis has not hit Kosovo directly, its economy has felt its indirect effects. Donor countries have shown hesitance to increase aid to Kosovo due to their own internal problems; the dramatic rise in unemployment in both Europe and North America has affected the Kosovan Diaspora. A subsequent drop in remittances from Kosovans working abroad is likely to carry a negative impact on the economy of Kosovo. Therefore, Kosovo has been quite successful in attracting FDI. Partly because of the global economic crisis, FDI incomes in Kosovo have fallen gradually since 2007.

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PROF. ASS. PHD. BRILANDA BUSHATI, DAMIR ŠEHOVIĆ – THE IMPORTANCE INFORMATION TECHNOLOGY USE IN BUSINESS MANAGEMENT

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Abstract

With this paper are examines the main characteristics of Albanian business and their readiness to support this new way of management. Efforts were made to give answer to the question: "Can IT be used by businesses in Albania? Are businesses in Albania ready and convenient for the advantages of IT use? In order to examine the IT and importance to use it not only like hardware but and with information systems we try to present this between an Albanian information system as personal experience. We try to demonstrate that IT is so necessary and can create advantages for businesses. A recent survey of the Approved Accountants Association showed that a very large number of businesses in Albania hesitate to use computer technology. Most believe it's either a non-necessary expense or it's too early to start using it. The following arguments should give business owners and managers some insight on what Information Technology could do for them. The conclusion is that the trend of the Albanian business is to get all benefits out of IT.

Keywords: Information technology, Business management, Information systems, financial reports, profit

Importance of Using Information Technology

The role of IT now is so evident. Every day more businesses are investing in information technology. Competitive advantages already made reality, many businesses are pushing towards investments on IT. These investments now are concentrated not only in hardware but increasingly in terms of information systems. This after have become aware of in terms of management support provided by these systems and also of benefits from their use. A concrete example of design information systems suitable for Albanian businesses is IMB with its software.

Institute of Modeling in Business[27]

In 1991, three professors of Informatics at Tirana University founded a software company. It grew quickly and employed more professors, experts and talented students. It developed a wide range of products. IMB grew to be the main branch of this company, and it separated after a few years.

The Institute of Modeling in Business (IMB), launched its first Accounting Software "Kontabiliteti Alpha" in 1997. IMB today is the largest Software House in Albania mainly specializing in financial and management software for businesses and public institutions. IMB develops a wide range of financial software to fit the changing market needs, accounting standards and the latest technologies.

[27] www.imb.al/en/our-story/

Customer service, is the central scope of work at IMB. We offer full support for our clients to guarantee optimal software operation and the proper representation of financial matters. We provide assistance in designing the documents workflow, system configuration, representation of accounting documents, and internal financial control mechanisms. The majority of our staff as well as 26 local partners throughout the country work to provide this range of services.

IMB has extended year by year the range of Alpha Software. This range includes software for accounting, financial administration, management, HR, Project Management etc. Our software are designed to fit the needs small, medium and large size entities; as well as different industries: commerce, production, constructions, services, public sector, billing etc.

IMB is present in the whole Albanian territory, as well as in Kosovo. From 2006 IMB is a partner of MESONIC Business Software and implements their WINLine ERP system.

With the IMB as your business partner, you join more than 6,000 business who rely on Alpha Software.

What Features it Offers it

Get help and control error avoidance by letting the system automatically fill in the item name, description, unit, price etc.
Get full results fast and right with computerized information which will allow you to pull results and financial reports in a matter of seconds.
Reduce "leaks" resulting from inside thefts, damages and losses. Statistics show that the use of information technology, on average, would increase revenues by 3%, by controlling losses and leaks.
Get a better studied Inventory
Improve customer Service
Increase profit

How much would it cost to switch to Information Technology?
…a quick math work to add the components going into the system.

A recent survey of the Approved Accountants Association showed that a very large number of businesses in Albania (approx. 53%)[28] hesitate to use computer technology. Most believe it's either a non-necessary expense or it's too early to start using it. The following arguments should give business owners and managers some insight on what Information Technology could do for them.

Make work easier

The most time-consuming process in Business Management is the invoice entry. Invoices are made of items which are stored in the warehouse and that will be sold. A business may deal with tens, hundreds and even thousands of items. Once these items have been entered in the software system, all you need to do is pull them up by using a unique ID given to each item at the time of entry.

The use of a computer for the entry of documents such as bills, invoices, collections etc. visibly reduces the work load. A common sense question to this statement could be: Why bother using a computer when the same information that is entered via handwriting will be entered via typing on a computer? Furthermore, everybody knows how to write, but not everyone can type easily.

The answer to this question will be visiting two aspects:
1) Cut Entry
2) Help And Control In Error Avoidance

[28] Study from IMB

1) Cut Entry

A great work load during the document entry is that of invoice entries. Invoices are composed of items that are bought, stored and sold. These items can be tens, hundreds and thousands in many cases. During the business daily activity they tend to be repeated very frequently. New items are rare for established business.

Once all items have been entered in the computer system, you can easily pull them up using the item identification code or select them form a list when you want to use them again. (if the list is long, which typically they are, then you may simply start typing the items first letters and you will be given a shortened version of the list where selecting the desired item will be a matter of a quick eye scan). After selecting the item, the computer system will automatically fill in the item's full name, its description, unit, price etc.

Besides the above, specialized systems have customized windows that would match the document's form. In these systems, the windows would resemble respectively the Sales Invoice, the Collection Mandate and so on. The systems resemblance with these documents makes it feel more familiar to the users. Most of each document's information is pulled in automatically from the system. For instance, when entering a Sales Invoice, if the user enters the "Client ID" or its abbreviated name, the client's Full Name, Address, Tax ID etc will be filled in automatically in the document. When entering an item's quantity, the system will automatically calcutlate and display its Total without VAT and the Total VAT included.

2) Help And Control In Error Avoidance

The possible inaccuracies in item names, descriptions and prices could be avoided by simply using the item's ID code. Professional computer systems can also check for logical inconsistencies such as those between warehouse entries and withdrawals, those between collections and payments with the respective invoices and bills etc. This control over error avoidance makes workers and users feel more comfortable and self assured, facilitating them in more efficient work.

Accounting systems can also do the automatic posting of all the accounting documents. For instance, these systems do the automatic posting of all entries in the Sales Record Book, Purchase Record Book, Collection Record Book etc. into the General Ledger; they automatically calculate the exchange rate effects in the registration of payments, invoices etc.
Furthermore, these systems have built-in manuals and online-help that guide the user thru every activity and window in the system. A simple mouse-click will display illustrated instructions for every field.

All the above can notably increase worker productivity in most case by 20-50%.

Get Full Results Fast And Right
Handwritten information entry in the Record Book allows managers to pull information on daily sales and collections. However, this way of getting information on daily activities gets harder and more time-consuming when the number of invoices increases to hundreds of invoices involving several items.

To achieve better administration, managers also need:
- inventory of goods in the store
- inventory of each item in the warehouse
- number of sales are made for each item in different periods of time.
- the net profit in total and for each item
- items that are low in stock and need re-ordering.

Considering for a moment having to pull all this information by browsing record books will make it

obvious that it is more time-consuming and counter-productive than it is worth it, especially for business with a large number of invoices. For those businesses, pulling information this way is practically impossible.

The answer to improving reporting and managerial efficiency can only be Computerized Record Keeping.

Reduce "Leaks"
"Leaks" (differences or reductions in inventory) are quite often and serious problem. Thefts, damages and losses are hidden in the leaks.

Observations in the Western World businesses have demonstrated that computerized record keeping has, on average, increases revenue by 3% by keeping thefts at a minimum. An explanation for this could be the fact that workers mind ethics more when they know that all items are at check at any given moment.

Even physical checking of stock inventory becomes easier and guided thru the Inventory statements generated by the system within seconds. Workers become more conscientious towards the inventory, they are more careful with the excessive stock items, item damages and checking the situation during deliveries. The same observations have shown that, computerizing the system results in damage reduction with an effect of about 4% for the business.

In Albania, loss statistics for businesses are not available, but common sense dictates that the leaks would be greater than in the Western businesses. During Client Assistance at IMB, it has been noticed hat after computerizing the system, the Inventory Statement checked against the physical inventory as shown discrepancies of 8-15%.

Get A Better Studied Inventory And Ordering
In businesses with large warehouses and number of items, checking the stock inventory for reordering is very tedious and tiresome. The availability of generating Sales Statements for any periods of time, facilitates in the forecasting of the business needs for certain items, without the need of keeping excessive stock.

On the other hand, every time an item is withdrawn from the warehouse, the system notifies the user if that item has reached or gone under its minimum stock amount. Likewise, every time an item is entered in the ware house after a delivery, the system will notify the user if this item has reached or surpassed its maximum value amount, avoiding this way excessive stock. The system can also automatically generate a Purchase Order based on the minimum and maximum values of items. If the business managers prefer, they could connect directly via the system to suppliers and clients in order to make ordering more dynamic and the business better administered.

Improve Customer Service
A computerized system can increase efficiency in Customer Service. The use of code bar scanners can help businesses service their customers in a fraction of the time that would take manual entry of each item. Even if the scanners aren't used, the service will still be faster because the user can simply enter the Item's ID in the system and its price, description and total will automatically be calculated by the system. Another improvement over handwritten entries is the printing of the receipt, which is more accurate and much more comfortable to deal with.

It is in a business' best interest to keep customers coming back. An updated list of customers can help managers and owners notify their clientele periodically for upcoming specials and offers in the store. It is common knowledge that keeping customers well informed is advertising at its best.

Of course, businesses will not be asking everyone coming thru the doors for their names and addresses, but keeping up with regular clients is more than acceptable, it is necessary.

Increase Profit

Business managers can easily notice items that bring more profit and sales than others. All it takes them to do is look at statements generated by the system. Profit comparison guides managers to keep more stock of those items that have bigger margins of profits and less stock of the items with smaller margins of profit.

Furthermore, the use of a computerized system can give managers more information to help them with better managing their business activities. The system can automatically generate managerial reports, Cost Analysis reports, General Ledger Reports, Profit And Loss Reports and many more.

How Much Would It Cost To Switch To Information Technology?

In closing, let's do the math and find out how much worth it will it be to switch to Information technology.

A computerized system involves a Personal Computer (70000 ALL), a printer (25000 ALL) bar code scanner (20000 ALL) and the computer system (25000 ALL). In total the system costs approximately 140000 ALL. System lifespan will be at least 3 years. This means the system will cost approximately 46000 ALL per year. Just to be on the safe side, let's take into account maintenance costs, which average about 14000 ALL/year. So now the system will cost approx. 60000ALL/year,or164ALL/day. On the other hand, according to the above calculations (just by considering the leaks from a business with daily turnover of 10,000 ALL) the system will increase profit by 700 ALL per day. The return on investment is quite admirable.

Conclusions

A computerized system can help businesses in everyday activities by alleviating the operators/users work load, therefore increasing worker efficiency.

Receiving automated help in error avoidance and leak check increases productivity and business revenue.

Managers can spend more time analyzing business reports and driving the business for more profit rather than browsing hand written record books.

By doing simple math, it's noticeable that profit can increase by a minimum of 700 Leke per day for the smallest business in Albania.

Investing in a computerized management system can be one of today's Business Best Practices.

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Information from business practices and work with IMB clients and partners

ERTON KALESHI – THE IMPROVEMENT OF ECONOMICAL SITUATION , A NEED TO REDUCE CRIMINAL SITUATION

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Abstract

In this work we will discuss some of the economic factors and their impact on the level of criminality causes that lead to economic crisis, adding unemployment and poverty, and the consequences of this phenomenon, especially in connection with the crime. The purpose of this paper is to assess how the criminal behavior and the justice system are affected from economic decline that affects the country. The cost of crime estimates can play an important role in helping the government in the fight against crime. The money which arespent from the state budget can be used in the evaluation of crime reduction policies. Important task of the criminal justice system is the reduction of crime and fear of crime as economic and social costs.

Keywords: Economy, Crime, economic crisis, cost of crime, criminal politics.

Introduction

Wighted Economic are often the underlying criminal behavior. Criminal behavior except when it caused from personality disorders or from irrational impulses was "convinced" the rules of rationality.Penal commitment authors are more susceptible to the benefits that would bring conducting illegal behavior ,but many of them are afraid from the harsh penalties that apply in the case of performing these behaviors. Economic theory can explain some illegal behavior by assisting in the design of efficient penal policies that will reduce benefits and reduce costs.29 This is the first relations between the economy and crime. A second report covers the real criminal behavior defined as a "free behavior" so the active subject is free to make its own estimates between the costs and benefits and finally to decide whether or not to pursue criminal offense. According to criminologists not all criminal behavior may be called "free". Penal offences that are part of economic crime categoryin most cases performed by individuals with higher social status, in the context of a legitimate business activity and abusing with others confidence who becomes victims of these behaviors. These are crimes that can be performed by professionals or business executives to increase the benefits of the criminal enterprise or from managers or from employees of this company. All conceptual definitions follow different evolutions of the economic relations between the thresholds of being legal or illegal and have as his criterion the legal norms in a given context of space and time.30

A third relation between the economy and crime relates to the link between crime and markets. Economy and criminology help us to understand the relationship between the business cycle and crime and give us elements to understand how different crime distorts the markets making in them to flow a large amount of criminal proceeds. When this wealth invested in the legitimate economy legitimizes changing market conditions (products, working conditions, capital) and facilitating the infiltration of criminal economy in the national economy. Many criminological studies have been conducted to see the links between growth and decline economy or criminality. According to these studies, the most serious crimes are easy related and not constant with crime in decline economy period. Generally, in periods of recession, crimes are not notable increase; crimes against property, including violence, in periods of economic downturn intended to grow; minor's crimes tend to increase in periods of economic growth and reduce during the recession.31 Other studies show that the links between the economy and crime, although the politics implications of macro and micro level,

[29]G. Becker, Crime and punishment: an economic analysis, in "Journal of political economy", 1968, LXXVI, Fq. 169-217.
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[31]F. Hagan, Introduction to criminology, Nelson Hall, Cikago, 1990pg. 106.

they are contradictory. Also the studies have shown that there is is a connection between economic growth and criminality. The economic growth brings increase forms such as: white collars crime, crimes that affect social policy, crimes committed by employees. In terms of banal crimes, it exists, but realizes a rise in the ranks of the working classes.32

Economic decline and its effects

During an economic recession the unemployment rate increased within a short time as many factories and production lines unexpectedly shut down. Remittances significantly reduced. Anyone tries to sell what it can from these factories causing a decline in productive activities price. Banks stop lending, while many other loans which issued previously seem indelible. Financial markets incur concussion which is reflected in the the decrease prices of shares or other trading securities in these markets leading to a significant number of bankruptcy. Reducing the investment by reducing the economic growth rate. All these will lead to a deterioration of public communication: the politics with the electorate, political factors with each other but also with public media. The effects of the aforementioned attack and create concern in the lives of other society members. This entire situation translates into suspicion and instability in family incomes, in the living standards, in safe future. Considering all these consequences, people will begin to seek alternative to save their level of living or to minimize the possible losses that could have. These alternative solutions can be two types, lawful or unlawful. Among the legitimate alternatives can be mentioned the change of lifestyle by focusing more on life saver and illegal alternatives push individuals toward criminality. Another effect related to the aggravation of the economic situation due to financial crisis has to do with the start of big protests and popular discontent. These moves, that are used largely by destabilizing anarchist elements, will largely deepen such a crisis and beyond the parameters that would be normal in a crisis situation. Modern economic have concludes that the factors that cause the real economic crisis occupy an important place also psychological factors that relate to the humor of the population. Moreover, in a insecurity situation intimidation of entrepreneurs and managerial elites will bring an aggravation and a delay in finding and applying the right solution.

The meaning of criminality

Criminality is defined by the science of sociology as a form of deviant behavior from acceptable norms and rules of society. A general definition of the crime is based on the premise that the action or acts committed by an individual affect natural rights that are given to the person entitled by birth. To assess criminality need to evaluate many variables, some of which, while having a significant impact on crime are not easily measurable and applicable. Definition of what is the crime often requires the inclusion of a group of solid rules that complicate social interactions. Criminal activity varies extensively, affecting a large number of legal relations: we can mention offenses affecting life, health, property, administration of justice, constitutional order, the regular functioning of public administration, free elections, economy, morality, dignity. For criminologists is very important the measurement and studying the crime, causes and various forms of his appearance.33 The science of criminology uses several methods for this purpose which splits into quantitative methods and qualitative methods. While using these methods criminologist should consider two basic principles: objectivity of the study and observance of professional ethics. Collecting data about the causes and status of criminality will help us later for drafting of effective strategies in the fight against crime and especially in prevention of it.34According to official statistics, crime in Albania is a growing dominating our society to its foundations. 35 Cases of businessmen murder, known or not, are a strong evidence for the existence of powerful criminal roots that exist in our country. Crime in the family is also a daily phenomenon with a high number of casualties. Statistics last years show a frightening reality that we live in silence without being able to do something.

[32]Hysi, V., Criminology, Kristalina-KH, Tiranë, 2010pg 354.
[33]Hysi, V.,Is the criminality really known; reflections and the opportunity for better measure of crime in Albania,in magazine : "StudimeJuridike" n.1 Faculty of Law, Tirana 2010, pg 274.
[34]Latifi, V., Elezi, I., Hysi, V., Politics combating crime. JURIDICA, Pristina, 2012,pg 13.
[35]For more on this issue see statistical yearbooks, published by the Ministry of Justice, Tirana

Economy and Crime

Many researchers have shed light on the relationship between economic factors and crime. Criminological studies in this area have reached conclusions not very convincingly, the criticized and often contradictory. This debate is about the actual considering the fact that the US is are noticed simultaneously two phenomena: economic expansion and reduction of crime rates. Is thought that all of this is a result of social and economic policies who is very effective in this country, which has provided employment opportunities in that part of society that many tended to enter the path of crime. Many criminologists have studied the relation amongst economic conditions and crime. This connection has been studied about 40 years ago by Becker. According to him, individuals divide their time between legal activities and dangerous illegal activities. If theincome from legal options are less likely to be insured than the proceeds of crime, then crime will become more frequent. 36Economic factors that have the greatest influence on the state of crime are unemployment and poverty. Many studies look at the poverty as the main cause of the crime situation. However nowadays except poverty the most important thing is economic inequality. This is also the opinion of some authors, according to whom the capitalist economic system limits individual choices: individuals from the lower layers of society have a choice more limited than the middle class or the upper echelons of society who are more likely to succeed.37 Based on this opinion many countries pursue such social politics and economic situation in order to help people with low incomes. Except poverty, another factor weighing in studies carried is unemployment. In observations conducted in many countries has shown that there is a connection between increasing unemployment levels and increasing crime rates. In this way, we made question such as: the unemployment was caused from the crime or was the crime that caused unemployment, or perhaps there is a third factor that causes these two?

Many researches have been conducted to answer their questions and generally the results are mixed. Studies Engel and Nilson (2003) are examples of a positive relation between unemployment and crime while Chisholm studies and Choe (2005) talk about opposite results. Out of 35 studies performed trustworthy in 1987 by Box, 20 of them showed a positive relation between unemployment and crime. Most of the studies shows that during periods where unemployment is on top there is a growing rate of crimes against property and has no effect on violent crime. In addition to the factors analyzed above an important role in the state of crime is inflation along the periods of growth or collapse of the economy. The phenomenon of crime of "white collars" has generally been only developed countries but now, rattling reflects in developing countries and not developed. Many studies have been conducted to see the connection between the decline or growth of the economy and crime. Based on a variety studies completed that exist about the relationship between the economy and crime, the most serious crimes was easier relating and not constant with crime in periods of economic decline. In countries like Switzerland and Norway, with high levels of economic welfare, it is concluded that crime rates are at low levels, thanks to the social politics who take governments of these countries. In conclusion we can say that economic factors and crime are cross with each other and if it does not controlled can lead to serious problems first for the individual and then to the whole economy of a country.

The impact of economic factors in crime

Economic crises attract the after effects of society. One of these consequences has to do with crime and delinquency status. Earlier we saw that changing economic conditions have a major impact on the increase or decrease of the crime situation. It is noted that in the family, and especially young couples, where as a result of the economic downturn and disagreements arise, disputes and debates that often degenerate to divorce and domestic violence.In accordance with criminological theories that propose the existence and mechanical link between the rise in property crime and violent crime during periods of economic crisis aided us analysis of international studies in this area.38National analysis regarding

[36]Kurti, S., Lectures on the subject "Economics and criminality, Faculty of Law, Tirana 2013.
[37]Sheplyski, J., Marxist criminologies,publishen in the magazine: “The sage Dictionary of Criminology”, 2001.pg172
[38]Voices of the vulnerable: The economic crisis from the ground up: http://ëëë.voicesofthevulnerable.net

the impact of the economic crisis on vulnerable populations, has highlighted the potential effects of the economic crisis on crime.The data recorded politics e about crimes of murder, robbery and motor vehicle theft deliberately based on 15 countries of the world, in periods of global financial crisis in 2008/2009 arise some important facts on the matter. So as in periods of economic crisis as well as periods with the economy not in crisis, economic factors play an important role in the development mjft of crime trends. Statistical models identify an economic forecast for at least one type of crime in 12 countries, suggesting general assistance between economic change and crime. According to some researchers, while the financial crisis hits vulnerable populations worldwide, leaders of different countries should look for a solution about increasing racial tensions, crime and violent outbreaks in communities. This philosophy is based on the premise of increased crime victims and the fact that the perpetrators of these crimes represent dangerous groups as well come up in times of crisis.If these states would be aimed towards a common solution to this problem would result then needed an accurate international information and important to recognize trends and levels of crime.39The voices of the victims report that the impact of financial crisis on the growth of crime is very high. Where the financial crisis manifested through the fall or the development of a negative economy and unemployment is high, a large number of individuals suffer severe that also lead to reduction of income. Consequently, this part of the population quick resolution of this problem will find committing illegal acts. Stressful situations are the cause of many violent crimes. Unemployed persons may become increasingly intolerant and aggressive, especially in their families.40

In most cases criminologists to collect data about the state of criminality use the information you provide official statistics of a certain state. Although these data are of great importance to recognize the level of crime in a particular place they can not forecast the future of the state of criminality. For this reason, researchers evaluate what changes are likely to occur as a result of economic changes. Crime and economic crisis have become commonplace in everyday language, the media and the diplomatic and academic discussions.The link between economic decline and crime can best explain the change of state of criminality during different seasons passing through a country's economy. Seasonal patterns of criminality related to the emergence of various types of illegal behavior in certain circumstances and during certain time intervals. So, for example some typical types of murders ndodhim more in summer than in winter; some crimes like robbery have their peak holiday seasons. Seasonality is also present in economic time series such as unemployment coefficient change due to various seasonal levels as production in agriculture, fishing, and construction. In some cases, economic factors, seasonal changes can move continuously along with seasonal variations in crime.According to a report by the United Nations Office on Drugs and Crime (UNODC), the crime situation may peak during the economic crisis.41This data is undisputable, although there can be a stable relationship between specific crimes and specific economic factors.Such results are consistent with the theory of criminal motivation suggests that economic stress causes an increase in criminal behavior.Economic decline of the years 2008-2009 marks a significant change in the leading economic indicators, especially unemployment at about 70% of the affected countries.In these countries also appeared an increase in some types of crimes as violent crimes and those against property.In some cases the increases were significant showing a double increase in any of the countries affected by the economic crisis is not noticed a decrease in crime.42

The cost of criminal activity during recessions

Above we analysed the rise of the situation of criminality in cases of economic crisis. That why people are more prone to commit offenses during such periods can explain through analysis of "economic theory of criminal conduct".This theory was formulated by Nobel Prize winner Gary

[39]S. Cameron, The economics of crime and deterrence: a survey of theory and evidence, Kylos, vol.41, n.2, 1988, pg 301
[40]Economic and Social Council Resolution 2002/13, annex.
[41]UNODC, Report of the Informal Expert Meeting on the Impact of Economic Crisis on Crime, Vienna International Centre, 1-2 November 2010
[42]According to the report, during periods of economic stress doubles the level of robberies, murders and thefts of motor vehicles increased. In 8 of the 11 countries who pass the economic crisis clearly observed relationship that exists between economic factors and crime
http://ëëë.imfstatistics.org/imf/

Becker economy, according to which criminals are rational beings who are driven to act on the basis of maximizing their welfare. In other words, any subject who has the right of choice regarding the performance of a wide range of behaviors, makes his favorite choice that will bring greater benefits.To implement economic instruments in the study of criminal behavior, we can use the theory of choice under conditions of uncertainty or otherwise risk theory. For this we consider a simple example: the decision to pay or not the bus ticket.Not to pay the ticket constitutes illegal conduct does best part definition that we do conduct "criminal". Alternative behavior of this behavior corresponds to the case when the subject decides to pay the price of the ticket to afford a safe expense. If the subject would prove to travel for free, threatens to pay a fine if the ticket is detected by the controller. For this reason the result of choosing to travel for free is uncertain and depends on the frequency of checks made on the bus.If the subject is rational and risk neutral përkarshi, his choice will depend on the confrontation of these two alternatives: thus if the cost of traveling for free is less than the cost (safe) the option to pay the ticket, rational subject will make a choice "criminal" by performing illegal behavior.In the above example is very simple calculation and depends on three numbers: a) the price of the ticket (X); b) the amount of the fine to be paid (Y); c) the probability to achieve control of the ticket (Z). The cost of choosing not "criminal", the payment of the ticket price is exactly X. While the cost is expected from committing illegal behavior (K) is an average between 0 (if the entity manages to escape controls) and Y (if implemented control). As a result the average consists of two probabilities and just have K = 0 x (1-Z) + Y x Z = YZ. This reasoning allows us to identify cases in which it is rational to behave as "criminal", and it includes all cases where YZ <X. Thus we can say that based on the principle of rationality, conducting criminal behavior is in proportionate to the amount of the fine to be paid and the number of checks carried out by the auditors and in proportion to the cost of conduct "criminal", ie, if the number of controls is small and the amount of the fine is small, while the cost of the ticket is greater then this would favor conducting illegal behavior. According to this theory founder Gary Becker, some people become "criminal" not because the goals and motivations that push them to act are different from those of other people, but for the fact that the costs and benefits vary material they may have when performing certain actions they take. This conclusion applies not only in the simplest case to pay or not the price of the bus ticket, but in all those cases when a subject is against the alternative to respect or not the law, so to commit tax evasion or to pay taxes; car to drive drunk or not; to bribe a public official or not; to deal with the production or distribution of narcotics or traffic or not; to perform or not a theft or robbery with violence.Through this theory we are able to explain why in situations of economic crisis , people are more inclined to commit criminal acts , but the high importance of this theory is that it serves as a guideline for the design of an effective criminal policy in the fight against crime . In other words it is possible to affect in committing criminal behavior if fighting is achieved through specific policies affected the costs and benefits that are the foundation of these behaviors, so back to the example above, it is possible to be influenced illegal behavior or by increasing the amount of the fine or by increasing the probability that the ticket evaders caught and fined by creating a situation where it's most convenient ticket payment.

Conclusion

Economic decline is harmful to All persons, not only for the present but can affect them in the future. The decline in economic welfare reflected in any activity due to the decline in purchasing power or absence of job brings reduction to social and health services. Consequently of these events have particular growth the corruption and the situation of criminality in general. The costs of crime have become an important tool for decision makers about crime and its impact on society They help to make clear judgments about the relative merits of alternative policies and programs that are already involved in making decisions about the distribution of resources for training crime. It is important that the costs and benefits of the initiatives can be measuredjointly. The cost of crime evaluations will be used in many different contexts in reducing crime and demand to analyze crime using cost estimates are likely to rise further. The publication of these results is also an important step in identifying the main deficiencies in our knowledge about the impact of crime on society. 43As in all countries and societies application of Law is the main factor to reduce the costs of crime. Implementation and

[43]D. Anderson, The aggregate burden of crime, in Jurnal of Laë and Economics, vol. 42, n.2, 1999, pg. 611

observance of laws need the political willingness of every company in order not to leave the track of corruption and crime in general. Initially this is reached by individual effort and consequently comes increasing the economic prosperity and reducing the cost of crime. We can not pretend that reduction of crime will have economic growth. In society is not enough to reduce crime, but we must work to mitigate its consequences. Society and the state should try to increase living standards and applying the law.

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PHD. (C) THERANDA BEQIRI, PROF. DR. NASIR SELIMI – GENDER SEGREGATION IN OCCUPATION AND EDUCATION IN KOSOVO

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Abstract

Inequality in labor market in Kosovo is persistent; the level of unemployment is highest in Europe. Unemployment rate is 35,1% and from this the level of unemployment for females is higher than males, with the highest level among females with low educational qualifications, primary and secondary and for unskilled. The aim of this paper is to present the level of segregation in education and also in occupation in Kosovo among the working population considering gender. Although there is an increasing level of females entering and finishing the education in each levels of education a gap between genders is still noticeable. The segregation in enrolment and graduation for females is still very concentrated in faculties of philosophy, philology, education, economics and medicine. Occupational segregation has the important role in gender inequality since it reduces the opportunities for females to be more concentrated to the jobs that are in the higher scale of the economy, we find that the main concentration of female employment are in education health and caring activities about 40 % of employed women are in these sector's which is similar with other regional countries. Kosovo has also highest level of inactivity among the working force population from the latest LFS almost two-thirds of Kosovo's population is of working age (15-64 years). Of those who are working age, 63.1% are not economically active. Activity and employment rates tend to increase with education for both men and women.

Key Words: Gender, Segregation, Occupation, Education

Introduction

The aim of this paper is to present the level of segregation in education and also in occupation in Kosovo among the working population considering gender. Although there is an increasing level of females entering and finishing the education in each levels of education a gap between genders is still noticeable. The analysis is based on a research methodology combining extensive literature review whenever they are available, and with descriptive and analytical data from different reports and statistics.
The segregation in enrolment and graduation for females is still very concentrated in faculties of philosophy, philology, education, economics and medicine. Occupational segregation has the important role in gender inequality since it reduces the opportunities for females to be more concentrated to the jobs that are in the higher scale of the economy.

According to OSHA- EU segregation in occupations relates to the different work that men and women do as a consequence of their patterns of socialization, identifying tasks traditionally seen as 'women's work' or 'men's work'. Gender segregation in occupations is the tendency for men and women to be employed in different occupations across the entire spectrum of jobs.

The occupational segregation is caused by gender bias based on stereotypical, biological and social differences between men and women. The concentration of men and women in different kinds of jobs is known as occupational segregation. The importance of segregation in education and then occupation is because it affects the gender inequality in labour market, by limiting the opportunities in being active in the labour market as whole. Since the evidence from the labour force surveys shows

that the level of unemployment in Kosovo for females is around 12% higher than males 40 % for females and 28,1 for males, the ones that are employed are segregated in 'women's occupations'.

Literature Review and Theoretical Evidence

Human capital theory attributes gender segregation to lower education or skills of women. Gary Becker has argued that families invest less in the education of daughters than their sons leading to women's low skills (Becker 1981). Hence, discrimination starts even with pre-entering the labour market with caused barriers to education. Which than affects the productivity characteristics like motivation which workers bring with them to the market. Therefore according to Adnett (1996) gender differences in the distribution of domestic work may not only limit women's pre-entry investments in education but also affect their post education human capital formation and further contribute to their lower occupational attainment.
Women are not equally represented in all occupations and in all function levels. On the one hand women find themselves concentrated in a more limited number of occupations than men (horizontal segregation), and on the other hand they are present in larger numbers in lower function levels (vertical segregation).

According to Ehrenberg (2003) if occupational choices are directly limited, or if they are influenced by lower payoffs to given human capital characteristics, then occupational segregation certainly reflects labour market discrimination. Since the major consequence of occupational segregation is that it contributes significantly to the wage gap.
On the other hand labour market regulations have a positive impact on the quality of employment, and the degree of gender inequality within employment

According to (Anker 1997) we can see that factors from supply side factors may come from different decisions regarding human capital accumulation and family formation, and the supply side may come from the effects of taste and statistical discrimination, so they both are factors that determine occupational gender segregation

Many analyst focus on the fact that the process of globalization is also reducing the demand for unskilled and semi skilled workers, and that also new technologies may reduce the demand for labor as a whole and keeping the wages low (Carnoy, at al 1999)
Economically, occupational segregation matters for efficient allocation of the human resources. The persistence of gender stereotypes also has negative effects on education and training and thus causes gender-based inequalities to be perpetuated into future generations (Anker 1997)

Segregation in Education in Kosovo

The education system in Kosovo went through a lot of reforms and generally there has been an improvement in all levels, nevertheless there are still some concerns in the level of attainment and gender disparities

According to "Kosovo Education Strategic Plan (2011-2016)" closing the gross enrolment, completion and the gender gap particularly at the middle and higher end of the education cycle will depend on improving educational quality, ensuring equitable resource distribution and ensuring that there are no reasons for parents in poverty to restrict their children from education. Overall gender trends such as the gender parity index, enrolment ratios and percentage girls' enrolment figures suggest that the gender gap is gradually closing within the lower levels at schools but significantly widens in favor of boys as students move up the educational ladder

Table 1. Number of children, pupils and students in public and private education 2013/2014

Level	Education	Total		Females		Males		Distribution by gender in percentage	
		No. of pupils	Percentage	No. of pupils	Percentage	No. of pupils	Percentage	Females	Males
0	Preschool	26768	5,8	12933	5,8	13835	5,8	48,3	51,7
1+2	Primary and lower secondary	280823	60,9	135662	60,7	145161	61,2	48,3	51,7
3	Upper secondary	100437	21,8	46796	20,9	53641	22,6	46,6	53,4
1+2	Primary and lower secondary special	635	0,1	259	0,1	376	0,2	40,8	59,2
3	Upper secondary special	147	0,00	59	0,03	88	0,04	40,1	59,9
5+6	University	52159	11,3	27939	12,5	24220	10,2	53,6	46,4
Total		**460969**	**100,0**	**223648**	**100,0**	**237321**	**100,0**	**48,5**	**51,5**

Source: Statistical Office Kosovo, Education statistics 2013-2014

The proportion of population in Kosovo is almost equally shared, Males: 50, 3% and Females: 49, 7 therefore we can say that the level of gap by gender in education is proportional when we refer to the statistical data. From the table 1 above we can see that the level of attainment of schools is higher for males compared to females, although the gap is narrowing from year to year. As it is shown the highest underrepresentation is in upper secondary school and in upper secondary special 44, the level of females in all levels of education has increased and it is shown that tertiary education is the only level where females have the higher percentage of participation 51, 5 % compared 48,5 % males.

Table 2. Number of students at the University of Prishtina in the academic year 2013/2014

Faculty	Total		
	Female	Male	Total
Philosophy	2717	1698	4415
NMS	2497	784	3281
Philology	2642	929	3571
Law	3016	2453	5469
Economics	5232	5763	10995
Construction & Architecture	549	1587	2136
Computer Engineering	730	1669	2399
Mechanical Engineering	146	992	1138
Medicine	2806	1732	4538
Arts	344	297	641
Agriculture	263	892	1155
Metallurgical Mining, Mitrovica	210	389	599
Physical Culture and Sports	131	715	846
Education	3114	493	3607
FATS Mitrovice	204	424	628
FATS Ferizaj	160	301	461
Total	**24761**	**21118**	**45879**

Source: UNIVERSITY OF PRISHTINA - CENTRAL ADMINISTRATION

Between the academic years 2000-2001 and 2009-2010, the number of university students almost doubled from 19,060 to 37,839. No gender disparity exists in university enrollments World Bank (2012).

[44] Primary, lower secondary, upper secondary special are dedicated to children and youth with developmental difficulties.

As we can see from the table 2 above this number increased to 45,879 by almost 8% in academic year 2013/2014 of the total students 54 % were females at the University of Pristine. The most popular faculties are economics, law, philology, medicine, education and philosophy. Female students are segregated and overrepresented in education, philology, medicine and low, while men are segregated in agriculture, physical culture and sports, machinery, construction, architecture, computer engineering. There is a very little gender disparity in economics and arts, which are almost equal. As we can see from the education statistics described there is a high level of segregation on education for both females and males. Females are concentrated in education, administrative and carrying studies, while men are mostly concentrated in engineering, agriculture and sports. From graduated in Bachelor level degree in the academic year 2012/2013 at the University of Prishtina. Female make up 53 percent of the graduates..Female make up 44 percent of master's level graduates compared to 53 percent of female graduate studies in Bachelor Level. (Education Statistics 2013/2014)

During the years 2004- 2007 Labour force Surveys in Kosovo shows robust information on women and men participating in the labour market according to their educational level. The educated persons have more opportunities to be active in labour market. The higher the education the easier it seems to find a job and to maintain it.

Table 3. Employed by sex and Education 2004-2007 (%)

Year	2004		2005		2006		2007	
Education	women	men	women	men	women	men	women	men
Primary	4	34	5	31	5	34	5	27
Secondary	18	50	19	49	14	48	19	41
University	75	83	64	82	61	79	65	80

Source; Statistical Office Kosovo LFS, 2004-2007

Occupational segregation in Kosovo

Two kinds of gender segregation have been identified: horizontal segregation and vertical segregation.

Horizontal segregation is where the workforce of a specific industry or sector is mostly made up of one particular gender. An example of horizontal segregation can be found in construction, where men make up the majority of the industry's workforce, whereas childcare is almost exclusively a female occupation.
Vertical segregation is where opportunities for career progression within a company or sector for a particular gender are narrowed. Vertical segregation affects women far more than men. For example, women are less likely to work as managers or senior officials than men.

Gender occupational segregation is an issue also in European countries, evidence from European Commission study, shows that considering all occupations, just 18% of women work in mixed occupations (60-40% men & women), 69% in female-dominated occupations (>60% female) and only 13% in male-dominated occupations (>60% male). In contrast, only 15% of male employees worked in mixed occupations and 59% in male-dominated occupations. This means more men- 26%- work in occupations where they are a minority- that is female-dominated occupations.(European Commission 2014). While in OECD countries there are findings that irrespective of family commitments, many female professionals find it difficult to climb the career ladder. In fact, inequalities increase the higher up the pay scale you go, so that while on average in OECD countries women earn 16% less than men, female top-earners are paid on average 21% less than their male counterparts. This suggests the presence of a so-called "glass ceiling". Women are also disadvantaged when it comes to decision-making responsibilities and senior management positions (OECD 2012)

In European countries segregation also applies by sector. Women have higher shares of total employment in the public services than in the private sector. Moreover, within almost all occupations, women have a higher share of the jobs in public services sectors compared to other industrial sectors. Public services sectors provide more opportunities for women in high-paid occupations, including as corporate managers and even in male-dominated occupations such as engineering and computing technicians than are available to women in private sectors (European Commission 2014).

In Kosovo examining the sectors in which people were employed in 2013, manufacturing, trade, education and construction employed almost half of employed people (Table 4). Manufacturing employed 12.6%; trade 12.8%; education employed 11.1% and construction employed 11.4% of employed people. Women were mostly employed in the education, social services and health sectors about 40% of employed women, where we can notice a horizontal segregation for females. Manufacturing, trade and construction are the most common employment sectors for men employing more than 40% of employed men, occupational segregation for males we can see from the table that there is no or very small segregation in wholesale and trade In Kosovo, financial and insurance activities, professional and scientific and technical activities. The occupational segregation is in line with educational segregation for almost all of the occupations, for example the enrolment in economics was almost equal and the employment level in financial and insurance activities is equal. Although it is interesting to emphasize that female have the higher percentage of employment in agriculture than males, and much lower percentage in enrolment in agricultural faculty, but maybe the reason is that they do work as the elementary employees not as skilled workers.

Table 4. Employment by sector and gender (2013)

Sector employment shares (%)	Male	Female	All
Agriculture, forestry and fishing	5.5	7.6	5.9
Mining and quarrying	1.5	0.4	1.3
Manufacturing	14.5	6.1	12.6
Electricity, gas, steam and air conditioning supply	2.0	0.7	1.7
Water supply, sewerage, waste management	1.4	0.5	1.2
Construction	14.5	0.9	11.4
Wholesale and retail trade; repair of motor vehicles	12.7	12.8	12.8
Transportation and storage	3.8	1.0	3.2
Accommodation and food service activities	5.9	3.1	5.3
Information and communication	3.0	2.5	2.9
Financial and insurance activities	2.2	2.2	2.2
Real estate activities	0.2	0.2	0.2
Professional, scientific and technical activities	2.0	2.0	2.0
Administrative and support service activities	3.9	3.6	3.8
Public administration and defence, compulsory social security	4.5	4.7	4.9
Education	8.5	19.9	11.1
Human health and social work activities	4.9	19.0	8.1
Arts, entertainment and recreation	1.8	1.6	1.7
Other service activities	3.4	4.6	3.6
*Activities of households as employers	1.7	3.8	2.2
Activities of extraterritorial organisations and bodies	1.6	2.6	1.9
Total	**100.0**	**100.0**	**100.0**

* Includes undifferentiated goods and services-producing activities of private households for own use.

Source: Labor Force Survey, 2013

In 2013 the majority of employed people held occupations of service and sales workers, elementary occupations, professionals and craft and trade workers Almost half of employed women were professionals and service and sales workers 30.1% were professionals and 16.1% were service workers. Men were more spread across occupations but the majority were employed in elementary occupations, service and sales, and crafts and related trades. It is interesting to see that among the professionals females had higher rate of employment than men, which usually is in line with the higher level of education.

Females also have double share of employment as clerks and technicians and associated professionals, but have much lower share of employment in higher positions as legislator, senior officials and managers, where is evident vertical segregation in occupations.

Table5. Occupation of employment by gender 2013

Kosovo 2013	Male	Female	All
EMPLOYMENT BY OCCUPATIONAL CATEGORY ('000S)			
Legislators, senior officials and managers	19.9	3.8	23.7
Professionals	30.6	23.5	54.1
Technicians and associated professionals	17.4	9.5	26.9
Clerks	9.6	5.5	15.1
Service workers and shop and market sales workers	45.9	12.6	58.5
Skilled agricultural and fishery workers	7.4	2.0	9.4
Craft and related trade workers	47.3	8.0	55.3
Plant and machine operators and assemblers	24.1	1.3	25.4
* Elementary occupations	61.5	11.9	73.6
Total	**264.1**	**78.0**	**342.1**
OCCUPATION EMPLOYMENT SHARES (%)			
Legislators, senior officials and managers	7.5	4.9	6.9
Professionals	11.6	30.1	15.8
Technicians and associated professionals	6.6	12.2	7.9
Clerks	3.7	7.0	4.4
Service workers and shop and market sales workers	17.4	16.1	17.1
Skilled agricultural and fishery workers	2.8	2.5	2.7
Craft and related trade workers	17.9	10.3	16.2
Plant and machine operators and assemblers	9.1	1.7	7.4
* Elementary occupations	23.3	15.3	21.5
Total	**100.0**	**100.0**	**100.0**

* Elementary occupations includes cleaners and helpers, agricultural, forestry and fishery labourers, labourers in mining, construction, manufacturing and transport, food preparation assistants, street and related sales and service workers, refuse workers and other elementary workers (ISCO 88 Com).

According to the LFS 2009 the main employer of females was public sector with 57% of the whole share of employment, private sector 23 % followed by the publicly owned enterprises 10% and self-employed and NGO;s this is similar with other European countries with the higher share of females working in public sector than in private sector.

Higher share of females is maybe due to the more security considering working contracts on the job and the application of labour law of Kosovo and social security.
Since from some studies there is an indication that a large share of private companies do not even provide their workers with such basic benefits as maternity leave, paid annual leave, paid sick leave, and unpaid leave (World Bank 2012).

Conclusion

From the evidence in this paper we can conclude that there is a high level of educational segregation by gender in Kosovo which reflects also the occupational segregation in sectors and professions. Females are segregated in Female students are segregated and overrepresented in education, philology, medicine and low, while men are segregated in agriculture, physical culture and sports, machinery, construction, architecture, computer engineering. There is a very little gender disparity in economics and arts. Therefore, females are mostly employed in the education, social services and health sectors about 40% of employed females, where we can notice a horizontal segregation for females. We found also that females have a share in employment as professionals which are a step forward and it might give better opportunities for females. While males, were disproportionally concentrated in manufacturing, trade and construction occupations. There is some mixture in employment in both genders in wholesale and financial institutions, which is consistent with educational patterns in Kosovo. We also found that the biggest share of employment of females is in

public sector and publicly owned enterprises, 67% and only 23 % in private sector, which is consistent with European countries, although not in level of participation in public sector. Even though there is a very high level of unemployment level in Kosovo, especially for females 40% we can see that with higher education unemployment is decreasing, together with participation rate in labour market.

Recommendations

☑ There is a high level of occupational segregation in education and in occupations as health and caring activities in Kosovo, policy maker should take it more seriously and enforce the labour low also in private sector to be fulfilled, therefore the shares of females may be distributed more evenly through all the sectors.
☑ Although there were some progress in education regarding gender, to further improve education policies and expanding opportunities for different professions regarding gender, in order to decrease gender inequality and participation in labor market.
☑ Increasing awareness of importance in participating in labor markets for females, so they can have a chance in employment through governmental policies and employment offices.
☑ Monitoring of implementation of labor low and discrimination laws regarding gender on implementation of paid maternity leave, paid annual leave and paid sick leave.
☑ Increasing the level of vocational training centers with different patterns of professional trainings.
☑ Another issue that needs to be addressed by policy makers in order to improve gender opportunities is to argument provisions for childcare for children until the age of primary school.
☑ There is no data for wages in Kosovo, which will show is there a gender inequality in payment, therefore there is a need for disaggregated data on wages.

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DR.SC. VELI LECAJ, PROF. ASS. DR NAIM BAFTIU, BEKIM SYLAJ – FISCAL POLICIES AS BOOST OF THE ECONOMIC DEVELOPMENT OF KOSOVO

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Abstract

Knowing that in a world where everything seems to be changing, doing all you can to build a proper Fiscal policy as boost of the economic development, presents a new and very often dismaying challenges for most of the countries in the region and particularly for the Kosovo as a transition country. This research study will include first of all the role of public sector in the economy of Kosovo, through the analysis of the economic and fiscal policies and drafting the strategic development plans for stimulating measures for creating new workplaces and employment growth rate, undertaken by the government of Kosovo in comparison with some other regional countries.

According to many publications and analyses, the economy of Kosovo will not be disqualified by external developments and it is necessary for the government to take adequate measures to create gently calming effect of the situation.

It is well known that Fiscal Policy affects the materialization of the economic policy aiming first of all, price stability, level of employment, solvent balance of payments, and economic growth rate, through collecting the public income and public expenditure realization, which creates effects on macroeconomic aggregate performance and its behavior of economic entities in Kosovo.

Fiscal policy in interaction with other government policies has a special importance in the national economy which would help in the formulation of financial strategy and strategic development objectives, as well as the analysis mainly of the private sector which continually has to play the leading role in the development of the national economy. So, the special focus of this paper will be on fiscal policy, which has an impact on budget revenues due to the possible decrease of imports and trying to increase exports – as a result of financial supporting of Kosovo manufacturing private business for creating the lower overall demand for imported products and services, having in mind that the current main source of budget revenues of Kosovo are the border customs and the tax revenues.

This may have a reflection in public spending with periodically negative impacts on economic activities of the Kosovo, with one good appearance on long term development orientation. From other side the reducing economic activities also have a strong effect on level of savings in Kosovo which could be proved declining the level of deposits.

Finally in concluding part of this research paper will be given suggestions for improvement and overcoming problems is facing the economy of Kosovo.

Keywords: fiscal policy, economic policy, public debt, investment, unemployment, tax reforms.

Entry

The transition process has including Kosovo as one of the last countries in Europe to have started the application of the market economy. In Kosovo a long time dominated the economic and financial system and the socialist centralized sheerer which has led to a limited degree and experience of private economic initiative.
Knowing that in a world where everything seems to be changing, doing all that you can to build a proper fiscal policy to boost economic development, presents a new challenge and very often not safe for most countries in the region and in particular the Kosovo as a country in transition.

Since in Kosovo during the post-war period marked a symbolic character growth, mainly thanks to remittances that constitute a major contribution to the welfare of households, society and economy of Kosovo (slightly over 23% of Kosovo population in the diaspora, with approximately 500 million euro on annual contributions as remittances), investment in infrastructure and privatization. Investments that have been made, despite slower growth and continued deemed insufficient to boost the production of local general. Such an increase has not been able to meet the development needs of Kosovo and failed to dismantle the better standard of living for citizens considering that unemployment or poverty or are not reduced. The essential argument is that the ability of the postwar Kosovo economy to generate revenues to economic development and improving the social welfare remains highly limited.

However, Kosovo needs to significantly accelerate its growth to reach regional income levels. According to World Bank calculations, Kosovo's economy should have been growing about 10 percent a year for more than a decade in order to reach the level of income of Albania provided that Albania's economy continues to increase 5. 5 percent on an annual basis during exactly the same period of time, while a little bit will be offered other countries in the region (World Bank, 2012).

The meaning and importance of fiscal policy

It is known that economic policy is part of a general national policy, by means of which economic entities and other entities aim to achieve set goals, whether operational or long-term. Therefore, fiscal policy, together with monetary policy are two substantial component of national economic policy that affect its materialization and used for macroeconomic purposes, aiming first and foremost, general stability of prices, employment growth, the stability of the balance of payments, and the pace of economic growth. The whole process is realized through public revenue collection and public expenditure performance, which creates effects on aggregate macroeconomic performance and proper conduct of the economic entities. In the context of economic policy, fiscal policy is one of the most important components for each national economy (Limani, M.2010).
Through economic policy defines the principles under which any action should be guided, and means for achieving certain goals. Economic policy examines the economic processes and instruments, actions and decisions of the government of the Republic of Kosovo to realize its goals.
Usually for achieving the objectives of economic policy instruments used with the help of which goals are realized. This economic policy instrumented usually directed at (Étienne Sad, Kirschen, 1999):
Instruments of public finance group,
Monetary instruments of monetary-credit,
Exchange rate instruments,
Instruments of direct control,
Reformat system.

We can freely say that this separation of instruments for the implementation of economic policy and to this day are stable, normally with a slight adjustment conform market economy and transitional situation.

Use of public financial instruments i.e. Public revenues and public expenditures usually meant for realization of economic policy goals. Therefore, fiscal policy is very important instrument of economic policy in Kosovo.

Fiscal policy in Kosovo after the war (CFA, 1999) is based on revenues and government spending for achieving the goals of economic and social, and to influence macroeconomic indicators is for the implementation of economic policy. Fiscal policy in this regard should be the purpose of development and economic growth, with high employment and protected from inflation. UNMIK mission in Kosovo after the war is defined in providing donations in order to meet emergency needs for finance and public administration activation, rehabilitation of infrastructure and public services.
In September 1999 the Civil Administration of the United Nations, has established the Kosovo Central Fiscal Authority (CFA) to build fiscal policy (Komoni, S.2008). Fiscal policy in the specific conditions of Kosovo was compelled to mobilize funds to cover public needs, bypassing the development of Kosovo.

Early in Kosovo have been operating these types of taxes:
Presumptive Tax,
Tax on sale,
Tax services
Customs duty.
These taxes have served to providing cash to the budget revenues.

Thus they began to apply in this regard Kosovo fiscal instruments to add even one form of taxation which were concentrated on providing public revenues (budget) through:
presumptive tax,
sales tax,
tax on services,
customs and
Excise.

Taxes and customs tariffs have not stimulated linear products that are intended for the development of production as raw material, equipment etc. In the beginning were the bulk of businesses which covered over 95% of budget revenues through taxation and customs, that businesses were dissatisfied. Tax reforms later and later application of new types of taxes such as VAT, profit tax, property tax, income tax, the tax burden is reduced for businesses and part is passed on to citizens.
Lack of adequate strategy development, policy and strategic development plans in Kosovo proper, and the lack of statistical data on the macro-economic indicators, malfunctioning banking system of payment, are performed The bulk of cash transactions etc. are some of the reasons that hinder the construction of a sustainable fiscal policy. It is worth mentioning that the new tax administration with tax staff training is faced with various problems of transition as tax evasion, economic crimes, corruption, illegal economy etc.
So, since 1999, it has begun construction of the new tax system, which was based solely on the business tax. Therefore, fiscal policy in Kosovo, on the one hand has shown positive effects in terms of creating budget own revenues, on the other hand has shown developmental effects of economic growth.

Fiscal policy objectives are focused on Kosovo based on three traditional functions of intervention, the state makes in the economic sphere:

The distribution function of the financial resources needed for the production of those goods and services that the free market is unable to supply effectively, including public goods.

re-distribution function, aimed at changing the distribution of income and wealth through changes in income taxes of taxpayers;
Regulatory function of economic activity through changes in the level of establishing taxes or with control word macroeconomic aggregates.

In a way the state function more and more is being done as a mediator in economic development, which should take care to create the general conditions for maintaining and growing speed of economic development.
Rather than establish a development priorities towards production sector substantially quality products that will be good for you to be "European Brands" Made in Kosovo, Kosovo is dealing with realization of basic infrastructure, it has started with the support of productive activity agriculture and it recently, maintaining equitable regional development policy and the progress of science and education as an important factor of development that bring increased competitiveness of the economy in the international market at the time integrated in the time of globalization .

Fiscal policy, including monetary policy, consists of a set of instruments aimed at changing the status of macroeconomic indicators. Fiscal policy is expressed and supported in the relevant financial laws in force in Kosovo including government intervention to meet the expenses of the state through the administration of public revenue collected through the tax system.
Fiscal revenues constitute the main source of income in the Republic of Kosovo. Fiscal policy aims to guarantee initial minimal budget revenues. But from the moment that the state financial continuity is guaranteed, the state set other objectives of fiscal policy.

Usually they encounter two distinct positions in the field of fiscal policy, which, dependent on political systems and each has its limitations, starting from scratch to rely on fairly high fiscal burden on large incomes, thus favoring a new -alike income in society; but also it exists the negative side of this approach for paying quite a lot of "rich" cannot spend more on investment, and therefore, by restricting normal economic growth. Second watched the other hand, have a uniform fiscal obligation that preserves investments, but with possible negative consequences on consumption, is, the middle classes and the poor, which constitute the vast majority of consumers in Kosovo.

It turns out that the reduction of disposable income affects not only the reduction of demand and supply in the market, but also in reducing production, investments on economic growth itself.
Lastly the Tax Regime in Kosovo, in order to have a more EU-compatible set of fiscal policies and legislation, Kosovo has developed a fiscal system based on the best experiences and policies of the EU. This applies to both tax and customs policies including direct and indirect taxes (Corporate Income Tax, Personal Income Tax, Value Added Tax, Customs Duty, Excise, etc.).
The tax system in Kosovo consists of a package of tax laws and administrative instructions.
This document covers the following (Tax Brochure, 2013):
Corporate Income Tax (CIT)
Personal Income Tax (PIT)
Value Added Tax (VAT)
Customs Duty
Excise
Avoidance of double taxation
It is important to mention that Kosovo currently has agreements on avoidance of double taxation with the Former Yugoslav Republic of Macedonia and Turkey. Agreements with Slovenia, Hungary and the Czech Republic are signed but not yet in force. Agreement son avoidance of double taxation with many other countries is being negotiated.

At the same time there are other taxes explaining that payers of interest, dividends, royalties, and lottery and game of chance winnings are required to withhold 10% upon payment of each of these sources of income, unless the payer is an individual not engaged in economic activity. An individual who receives income only from interest, dividends, royalties, or lottery and game of chance winnings is not required to submit an annual return to the tax administration (Ta x Brochure, 2013).

In Kosovo fiscal system are not included bulk of the business because of the black economy and tax evasion are developed enough and there is a typical problem of the countries in transition, which presents an obstacle and challenge with which the government is facing every day. These estimates come from a survey done by the Institute "Roundtables, on the level of tax evasion and informality in the labor force (Roundtables, 2013 survey 600 businesses). By analyzing the data of the study, many of the managers and owners of private businesses in Kosovo, we believe that on average businesses in their industry reported 65.6 percent of sales, which means that 34.4 percent of sales are not declared. But the stressful is the fact that over 60 percent of businesses surveyed believes that if they decide to escape taxes they can do it very easily, and without being caught by the authorities.

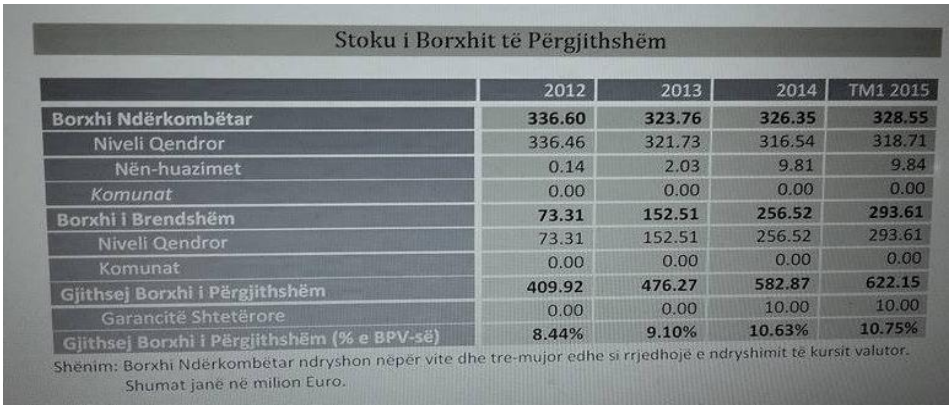
Trends evasion is more expressed the small and medium, rather than big business. But another phenomenon that Offences disturbing she or informal workers with workers.
Data show that only 63 percent of workers are notifying and working with papers while 37 percent of the workforce is informed not competent bodies, which represents Ney reduction in state revenues but the worst is that they are not secure and working with overtime, dangerous work and vulnerable in legal terms.

Yes fiscal hope that invasion will not be increased, otherwise Kosovo will enter into a vicious circle and no way out.
By analyzing the current situation in Kosovo and published data may be noted that the informality and evasion of burdening financial stability, social and economic because as developed that is tax evasion means:

First with less state revenue, secondly presented destructive motives for not developing businesses, the third inability of the state of Kosovo to fulfill the necessary social obligations and fourthly impossibility of economic growth and social welfare establishment.

But the tendency of improving and mitigating recent tax evasion is in good development trend when compared to revenues collected to tail public since the years are increasing especially tax revenues indicating that the functioning is one of the best, the process with reflective regarding the return of part of the informal economy into the formal economy (Ministry of Finance, 2013). In one way it represents a quality indicator relationship between the private sector, government and society. Being connected to form a chain of addressing these issues deserves the right to improve the business climate in Kosovo.
After a period of fragile business from the global recession, as a group of six countries of Southeast Europe (SEE) - Kosovo, Macedonia, Albania, Montenegro, Bosnia and Herzegovina and Serbia - have experienced a double recession.

Continued growth of unemployment, deterioration of external conditions, severe impact on economic activity, and a steady increase in unemployment had a negative effect on consumption, investment and exports. As a result, the environment, inside and outside the region, it has become more difficult to manage, and the benefits of the economic policies necessary to stabilize economies and revive growth are tougher, and did not give effect nor credit system in Kosovo and beyond.
It is worth mentioning that starting from 2013 the global scene in the “fiscal cliff " of the US , the Eurozone 's faltering recovery and the high prices of raw materials - have threatened the economy of the SEE countries . But also worth mentioning as very worrying phenomenon for the population of Kosovo, another very high risk of a new strike price of food , knowing that the food which constitute the majority of the value of consumer basket of the people of Kosovo that could deepen further poverty as the people so poor and unemployed in Kosovo.



Stoku i Borxhit të Përgjithshëm

	2012	2013	2014	TM1 2015
Borxhi Ndërkombëtar	**336.60**	**323.76**	**326.35**	**328.55**
Niveli Qendror	336.46	321.73	316.54	318.71
Nën-huazimet	0.14	2.03	9.81	9.84
Komunat	0.00	0.00	0.00	0.00
Borxhi i Brendshëm	**73.31**	**152.51**	**256.52**	**293.61**
Niveli Qendror	73.31	152.51	256.52	293.61
Komunat	0.00	0.00	0.00	0.00
Gjithsej Borxhi i Përgjithshëm	**409.92**	**476.27**	**582.87**	**622.15**
Garancitë Shtetërore	0.00	0.00	10.00	10.00
Gjithsej Borxhi i Përgjithshëm (% e BPV-së)	**8.44%**	**9.10%**	**10.63%**	**10.75%**

Shënim: Borxhi Ndërkombëtar ndryshon nëpër vite dhe tre-mujor edhe si rrjedhojë e ndryshimit të kursit valutor.
Shumat janë në milion Euro.

The table shows that most of the debt is owed majority international and is also part of the internal debt and that of the center.
In such situations, Kosovo must continue to improve the investment climate which will affect the reduction of fiscal deficits and public debt reduction and at the same time have to continue with school reforms preparing staff for the market economy and reforming labor markets and public sector.

Statement of total debt expressed in euros and percentage of growth				TM1/ year
Years	2012	2013	2014	2015/TM1
Total Debt General	409.92	476.27	582.87	622.15
Total Debt General (% e BPV-së)	8.44%	9.10%	10.63%	10.75%
% Of total debt growth	0	16%	22%	7%

Source: Ministry of Finance, Debt Overall , quarter 2015 , Pristina , 2015

The above data show that overall debt is increasing from year to year and that starting from 2013, as the growth of the debt is for 16%, followed by an increase of 22% in 2014 and first applied quarter of the year 2015 growth is about 7% and if this continue growth trend until the end of 2015 the growth will be 28% more than in 2014 or expressed in euros somewhere over 746 million. Currently General of the Kosovo debt is over 622 million euros or 10.75% of GDP districts of Kosovo, but Kosovo compared to the budget for 2015 which is around one billion of six hundred million is relatively high value.

Consequently, revenue shortfalls and tight flow of money has enabled the presentation of outstanding payments overdue payments. In-the extreme cases, arrears can lead to a total collapse of discipline of payments and their impact can be the dangers of financial discipline, liquidity and economic activity.
Delays in government payments have a direct negative effect on consumption, employment and investment, because people who perform the supply of goods and services did not receive the funds they need to pay bills and to continue their businesses. The economic situation makes it even more difficult because businesses cannot borrow to get the money needed to pay their salaries and suppliers.
Unpaid bills also affect their willingness and ability to invest in growth and business expansion, and it is vital that the Kosovo government to act quickly to address overdue payments when they are still manageable.
This indicates that the fiscal policy which Kosovo is expansive fiscal policy. Government expenditures are too high and the budget deficit is not small. The state budget allocated to different areas in the country where the main subject of years now is the infrastructure that is a prerequisite but not enough development. Kosovo has not paid attention to the growth of public debt-which has far-reaching consequences and could lead to state bankruptcy

When asked whether fiscal policy can soften unemployment?

Numerous researchers this is taken by classical economist's issue that you think not, while others say they are. Fiscal policy can alleviate but not solve the unemployment problem. If we do not take into account potential problems of the Kosovo economy sin are not expansionary fiscal policy the economy expanding by reducing taxes and government spending can increase GDP, creating jobs, economic prosperity and social welfare.

In all Balkan countries, debt payments in the public sector represent a particular challenge to fiscal management and private sector, while there are other structural reforms still pending, fiscal consolidation and structural reforms, which should continue, even risk that Kosovo be introduced into a vicious circle that reinforces the long-term tightening cycle, low growth or even negative, high debt, and even higher risks of social unrest.

Therefore observed that external demand is minimal, and exports are not only low, but they are not supported enough, and not somehow made a quick engine of economic growth and social. However, additional funding for growth and jobs can only be effective if accompanied by fiscal reforms and structural intensified.

Fiscal policy and installing fiscal equipment of TAK
Tax Administration of Kosovo has made further steps towards finding Fume's for elimination of the informal economy and fiscal evasion and fiscal cash registers are only one of many elements that help fight against tax evasion. Above all he is a human factor that determines the spread or stops this phenomenon. If the Tax Administration analyzed regarding tax inspectors per capita in all of Europe is the last (TAK staff, 2013). The same paid much less than their counterparts in the region and more so towards the power of businesses.
Besides human capital and the rule of law, business ethics, trust in institutions, government spending, corruption and various social norms are elements that determine business decision whether or not to meet fiscal obligations. In this area it is noteworthy for the good that women entrepreneurs tend to be less evasive than their counterparts.

Last days of notification that TAK has issued 01 April 2015, all clients / customers who testify making fiscal receipts will benefit first. Based on tax legislation, after each sale to the consumer shall be given testimony about the goods or services purchased / paid, so do not hesitate to ask the fiscal voucher (TAK fiscal coupon in April 2015).

The slogan is: Create general welfare, get Fiscal Receipt!

According to Administrative Instruction no. 1/2015, for all clients / customers, who collect coupons such as fiscal and send them to the Tax Administration of Kosovo, will be applied refund taxable value of all fiscal receipts in the following month of each quarter, according to these criteria:

Group I - Envelopes with more than 30 coupon and with a total value of 250 € up to 500 €, will be reimbursed in the amount € 10;
Group II - Envelopes with more than 40 coupon and with a total value of € 501 to € 800, will be reimbursed in the amount € 15;
Group III - Envelopes with more than 50 coupon and the total amount over € 800 will be reimbursed in the amount € 20;

Clients will send fiscal coupons nearest Region TAK, in a closed envelope with the personal necessary data. So, filing of polices closed fiscal receipts collected during April, May and June, will be sent to TAK, starting from 01/07/2015 until 07/31/2015 and will have the chance to seek reimbursement not only For this period but also other periods if I submit fiscal coupons for the relevant period or each quarter in a sealed envelope.
It remains to be seen direct and indirect effect of the collection, submission and reimbursement of the amount specified in order to stimulate customers through getting receipts to help in reduction of the informal business.

Installing fiscal equipment

E-Services are electronic services which offer the possibility of obtaining services through electronic forms. The concept of E-services (electronic service abbreviation) represents an application to exploit the use of information and communication technologies.

From the start of the application period so far these services are perfect and have already become a daily routine in the relationship between business and tax administration.

E-Services is designed and built in such a way as to be easily accessible to all regardless of differences in gender, age group or educational level. Deploy new server program that monitors fiscal equipment's.

Already 80 percent of the private sector in the country is endowed with fiscal, and the remainder is extended to remote areas of the country, although the signal data sending function best service through the mobile operator. Now the Ministry of Finance and Taxation in particular, the biggest challenge is the use of these devices, use the greater of the business, thus increasing massively declared laps, and consequently in the state income taxes paid.

Installation of fiscal devices and their use is a very important process which aims, strengthening of the rules of free competition in the market, as well as the fight against tax evasion. Setting fiscal equipment is carried out in accordance with the Law "On Tax Procedures ", and laws issued in its application. Tax Procedure Law of 9920 dated 19.05.2008; amended Article 55 clarifies the obligation to use fiscal equipment.45

Conclusions

Education reforms are required to improve the quality of secondary education and higher education, and their elaboration for market economy in accordance with market demand.

High unemployment and continued its growth especially among new groups, requires bold reforms of the labor market in Kosovo.

Reducing informality and tax evasion affects the creation of conditions for the improvement of social welfare.

Interaction between trade, business environment and competition with manufacturing field enables sustainable development and fiscal sustainability.

Stimulate active employment policies through subsidies and fiscal incentives for businesses that employ the largest number of workers.

Promoting activation policies towards employment categories social their long-term unemployment and temporary incentives to develop into a long-term dependency by growth incentives SOCIALI people from work.

Economic problems faced by the Eurozone and the economies of countries in the region, will be reflected in Kosovo.

Central Bank of Kosovo to carry out its functions entitlements stability the price, possibly to contribute to the reduction of interest on loans and raising interest in deposits as a basic prerequisite of lending by banks.

Analysis and results show that Kosovo's economy will not be immune to external developments, and it is necessary that the government take appropriate measures in conformity situation.

Stimulation of exports through fiscal measures generator development and creation of the image of products Made in Kosovo in the regional market and beyond.

To develop a program aimed at fiscal decentralization is lower levels such as municipalities assume greater powers in fiscal independence.

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PHD. GENTIANA KRAJA, PHD. (C) ROMINA RADONSHIQI – THE FRAMEWORK OF HUMAN RESOURCE MANAGEMENT IN THE ALBANIAN PUBLIC ORGANIZATONS

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Abstract

All organizations are composed of human resources and their commitment is essential to achieve organizational objectives. The aim of this paper is to present a theoretical contribution of human resource management of public organizations in Albania. We will present the main ideas of how we can manage the employees in order to achieve high levels of their performance at work. Human Resource Management combines individual performance and institutional capacities in public administration environment. The aim of HRM is to create an open and flexible management style in order to be motivated staff and support the mission of the department. Effective management of the employment relationship requires a response to the needs of different forces working, development of organizational structures, improve work performance, relationship of syndicates and reducing conflict within the workplace.

Keywords: Human Resources, Management, Public Organization

Introduction

Human resource management includes all the decisions and activities that affect the nature of the relationship between the organization and employees46. Recent years human resource management is a strategic approach, integrated and coherent in relation to employment, development and progress of individuals working in an organization. The role of human in the service industry have a special importance for two reasons: First, the services generally offered in contact with an individual representative of the organization and secondly services have the characteristic of simultaneity in time that are produced and consumed (which the service makes a delicate process because its quality is determined exactly when being consumed by the client, because there is no time for corrections)47. The public sector generally offers services that should benefit all the public. So, public services have service element and "market" element so providing them against the cost, quality, in time is a challenging process for public organizations, a process in which the public administrator's role is key. Public organizations have to manage the chain of public service delivery, because often for publics the progress of public services and administration that offers them is the important indicator of state and government.

Structure of Public Administration in Albania and legal aspects

The meaning of public administration is closely related to the state administration which is derived by the meaning and connection between the notion of public administration with the administration and their close relationship with the state. The notion of public administration is a relatively new concept, it has not been used before in Albania also has not been defined in a good way, because of the centralization of the state and the economy where the basic needs of citizens have been satisfied by state authorities. In those conditions did not feel the need theoretical and practical to differentiate the

[46] Beer, M, Spector, B, Lawrence, P, Quinn Mills, D and Walton, R (1984) *Managing Human Assets*, The FreePress, New York pp. 1
[47] Vermeeren. B., Kuipers. B., Steijn. B., (2009). Human Reosurce Management and performance of public organizations. EGPA Conference. pp. 5

"public works" from state jobs, because in principle it was simultaneously public and state. The reforms of pluralist system (political pluralism) and basic and fundamental changes that are implemented in society, the economy and the Albanian legislation in 1992 spontaneously is used the term of public administration. Consequently there is a need to define and identification of differences related with the notion and content of the term "public administration" and their respective institutions. The state administration is the organizational and professional apparatus that serves the public interest impartiality by effective legislation, to perform public service to designed and to implement general state policies48. It is apparent that term "public administration" includes the "public administration", as a result, the district public administration included the state administration institutions which are as below.

Public administration institutions are49:
Central government such as: the President, Prime Minister, ministers; executives Constitutional independent institutions such as the Ombudsman, the President of the Supreme Audit Office; leaders of other central institutions established by law as the Inspector General of the High Inspectorate of Declaration and Audit of Assets, State Advocate, Procurement Advocate etc.
Local government, mayors of municipalities and prefectures
Armed Forces and any structure that holds military status
Public entities

For the classification of public administration institutions are used different forms, such as according to manner of their formation, according to terrestrial alignment of their activities, according to their character and competence, according to structure, according to funding sources and ways of disposing of these resources by them. In order to understand the structure of Public administration in Albania, in this study reflects only its classification under terrestrial alignment of activity, inasmuch as it is the form that does not implicate many legal knowledge.
According to the classification of public administration institutions by terrestrial alignment and the activity they are divided into central public administration institutions and institutions where the activity is in the Republic of Albania. The central word in this case is the fact that the institution of public administration are considered as the central which is focused in administrative functions that may practice all over the country. All central institutions have their headquarters in Tirana. On the other hand, again on the basis of this classification by location and activity, are local authorities. Such are the mayors of municipalities and prefectures. These institutions have the power dues more limited in space. For regular and normal functioning of the state apparatus of public administration, except perfect organization, the people must be prepared and able to work. These people who work in this institution called the civil service personnel of public administration without which public administration can not fulfill its mission. So, the civil service, as special type of public administration activity, understand activity based on the Constitution and the laws of the employees of this administration that have the quality of Civil Servant50. So, civil servants are a subcategory of public administration, operating with a special status and may be employees as the central public administration and local public administration. At this point in terms of human resource management in the Albanian public administration as a set of practices of human resource management derived from the laws and regulations by which legally administered public administration, it is important to qualify the categories of public administration and statutes by which they function. In Albania the status of public employees classified as: civil servants, employees with special statuses based on specific laws and contractual status is guaranteed by the Labor Code or by collective agreements. In terms of the central public administration is understood that the flexibility in the direction of human resources are defined by law and then in administrative practices of public organization, but this also happens in the local administration, so having the same flexibility, which is thought to be different, so there was a kind of dependency higher than the central administration. Human resources departments of the local administration have a specific role from employment of local officials under the law on Civil Service and Labor Code, from organization of competitions and follow all procedures for hiring

[48] Law no. 90/2012. "Organization and functioning of the State Administration in Albania." DAP. articlei.2.
[49] Dobjani. E., (2007). Administrative Law 1. Revised Edition. Pearls Vroshtina publisher, Tirana. pp. 128.
[50] Dobjani. E., (2007). Administrative Law 1. Revised Edition. Pearls Vroshtina publisher, Tirana. pp. 284.

or suspension of local public administrator. Local administration takes itself initiatives for training or qualification programs51.

The practical aspect of human resource management of public organizations in Albania

The structure of public administration in Albania and legitimacy with which it functions reduces elasticity and flexibility, efficiency and effectiveness of the use of many instruments of human resource management. To judge about the statuses required to justify regarding the balancing of three interests52:
The need to manage competitive workforce and operations,
The need to implement the rights for employees in their jobs,
The interest of the government to provide social objectives through public policy.

Is not difficult to maintain balance between these three interests in terms of public administration, work and whose treatment is administered through statuses? These statuses are those that have a public official who does not allow the manager to achieve efficient and effective direction of human resources. Instruments of human resource management such as: reward, recruitment or dismissals are fixed with statuses and do not allow the manager to use the function efficiency of use of these human resources. Another argument against modernization of human resource management in the public sector is the inability of policy implementation motivation. The existence of rules that determine salary, bonuses, and other motivational factors, in some measure prohibits human resources manager to make differentiations or individualize treatment methods to their staff.

Principles of organization and functioning of the state administration53.

The state administration is organized and operates under the principles of:
unity and hierarchy;
accountability;
deconcentration;
clarity in the definition and distribution of responsibilities;
economy, efficiency and effectiveness;
cooperation between institutions of state administration.

According to principle of unity and hierarchy, the state administration is organized in such a way that any institution or administrative unit is in dependency and report in a institution or superior administrative unit.
According to principle of accountability, any institution or administrative units subject to the direction and supervision by the relevant supervisor, for his activity, as well as that of the bodies, institutions or administrative units subordinated.
According to principle of deconcentration administrative functions related directly to private persons organized to be closer to them, in order to facilitate their access to information, public services and adequate participation in the administrative proceeding of law.
According to principle of clarity in the definition and allocation of responsibilities, division and allocation of administrative functions and tasks between institutions and administrative units should be specific, to avoid superposition, be transparent and made public in an appropriate way.
According to principle of economy, efficiency and effectiveness, allocation and distribution of responsibilities and organization of state administration should ensure effectiveness in carrying out the functions and duties, the efficiency in achieving policy objectives adopted and the economy in the use of goods and funds public.
According to principle of cooperation, institutions, administrative units and public servants at all levels of administration cooperate among themselves and with local independent institutions to achieve legal objectives that are entrusted in accordance with the law.

[51] Association of Municipalities of Albania and Hans Seidel Foundation (2010). Local Governance in Albania. P. 129.
[52] Ceni. A., (2011). Managing Public Organizations. SHBLU. pp. 159.
[53] Law no. 90/2012. "The organization and functioning of the state administration in Albania". DAP. Section. 3.

Each principle confirms once again the supreme importance that the public administrator has in state institutions confirms the crucial role that the performance of public administrator is through the effectiveness and efficiency of public organizations. Each principle estimates public administrator role with a special significance for the entire system.

The state institutions of performance the work of public administration are:
Training Institute of Public Administration has mission to learn civil servants to increase professional skills and improve the knowledge in order to each civil servant to contribute optimally to the achievements and goals of the institution.
ITAP supports the reform and improvement of a stable civil service and professional development through training and comprehensive quality54. Department of Public Administration has the mission of developing and implementing civil service reform. In implementing its mission Department of Public Administration performs the following functions: civil service manages all the institutions of central administration; manages and implements the functional and structural reform in public administration institutions; designs and implements reform in wages; coordinates the implementation of information technologies in the field of e-government55.

Civil Service Commission which is aimed at monitoring the implementation of Law No. 8549, dated 11.11.1999, "Civil Servant Status" First, in terms of the implementation of common rules for the conditions and procedures for admission to the Civil Service; way to start and end of the employment relationship; career development; guarantee the rights and obligations definition of civil servants this is achieved through the process of reviewing the appeals of civil servants and secondly in terms of providing the same standards in law enforcement in the field of civil service management in all institutions that operate under this law, which is achieved by monitoring the civil service management56. The institutions mentioned in the progress of the work function of public administration emit a variety of instruments and follow closely the work of public administration. For example the Department of Public Administration crosscutting strategy n in order to improve the performance of public organizations; the strategic vision of public administration sets having a stable public administration, professional, well organized and in public administration based on decision-making processes transparent, inclusive and accountable to the public. All these are priorities to achieve improved management of human resources, improving the systems of organization and improve procedures57.
The analysis made by TIPA58 lacks many issues the current practice of human resource management. There is not a solid connection between units of human resources management (and employees) and the academic community. There is not a consistent proactive policy towards youth.
Youth can engage in public service through scholarships that require them to work in public administration for a number of years after graduation. A similar situation exists and experienced persons.

Other disadvantages are:
Disorganizing of media campaigns to attract the best people;
Do not emphasis enough of being motivated by service in the public interest;
Efforts to change the organizational culture because are not stable;
Pay more attention to procedures of human resource management than results;
Systems of promotion and reward do not pay attention more work results, expertise and zeal of work.

The most recent project about Public Administration is the approval of the School of Public Administration which will ensure the continued qualification of the administrative staff. Public administration functions on the basis of status in Albania are classified into: civil servants, employees

[54] Report Training Institute of Public Administration. (2011), pp. 2
[55] Department of Public Administration, Annual Report 2011. pp. 10
[56] The Civil Service Commission, Annual Report 2011. pp. 12
[57] Crosscutting strategy of public administration reform in the context of the national strategy for development and integration. (2009-2013). pp. 16
[58] TIPA. (2012) Ivan Koprić Attracting and Keeping the Best People in the Public Service. pp. 42.

with special status that based on specific laws and contractual status guaranteed by labor law or by collective agreement.
Many authors argue that public official status does not allow the managers to achieve an effective and efficient management of human resources, the management often focuses more on administration than management, this is the problem for increase performance of human resources. The variables such reward, recruitment, firing an employee are determined by law and the managers don't have more competence to change them, on the other hand the impossibility of implementing the policies of motivation is barrier in the public sector, the judgment is based on the existence of general rules of rewards. For some of the practices of human resource management are defined in the statutes or legal platform not only deadlines but also other issues which may become barrier to the use of these practices as a tool to improve performance. If we refer to civil servant status (Law No. 8549, dated 11/11/99) or Intersectoral Strategy of Public Administration Reform (2009-2013), we can understand a restructuring of some human resources practices. Regarding to recruitment process defined conditions such as; deadlines, applicants evaluation components and percentages for each applicant. Also defined condition for promotion presentation of four internal or external candidates. In parallel movements is decided probationary period after movement although the positions may be the same. While the performance of the performance evaluation process remains problematic, lack of connection of this process with any reward or career growth opportunities discourage fulfillment a serious and objective assessment. Albanian public administration aims to unify the salary and rewards, the main principle is "the same responsibilities and the same salary"59. Lack of flexibility in the management of human resources not allow the effective management and it refers mostly legal platform and inflexible civil service regulations.60

Conclusions and Recommendations

Management practices of human resources affect the public organization performance

Direction of talent is irrelevant in organizational performance, the management of talent is not perceived as one of the practices that affect the performance of public organizations.

The practices of human resource management with organizational performance is not affected by the characteristics of the organization or individual biographical characteristics

The most successful mechanism of public organizations performance is the impact of management practices of human resources and his individual characteristics, So if we want to influence public organization performance through practices of human resource management we should to affect to the individual's own performance.

The practices of human resource management are successful if initially tend to affect and closely linked to the individual inputs and outputs only way to achieve the highest level of their influential.

[59] Intersectoral strategy of public administration reform in the context of the national strategy for development and integration. (2009-2013). P. 9-12
[60] Denhardt. R. B., Denhardt. J. V., (2009). Public Administration An action orientation. 6th edition. Thomson Wadwarth, fq. 290

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PHD. (C) REMZI AHMETI, PHD. (C) RIFAT HOXHA, PROF. ASS. DR. HAMDI HOTI – DEVELOPMENT AND MANAGEMENT PERSPECTIVE OF SMALL AND MEDIUM ENTERPRISES IN KOSOVO

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Abstract

The paper presents the development and the future of small and medium enterprises in Kosovo with particular emphasis on the management aspect.The paper highlighted the diagnosis of the current situation of SMEs, identify problems, obstacles and barriers that are suffocate the development of their activities, identifying needs and requirements of the community to improve the situation of SMEs, the advancement of processes development and the development of positive trends in strategic terms.The formation and development of SMEs has contributed to employment growth and market device with different products and services.
Employment in private enterprises is increasing where structural changes can be observed within the enterprises, which are expressed through a decline in the number of commercial enterprises and increasing the participation of manufacturing enterprises.Issues addressed in the paper are how we can improve the development of SMEs as an obstacle factors influencing this process, how can you help young entrepreneurs, how can we increase the number of employees, innovation, improvement of trade balance and how to encourage local production and increase overall performance.Finalization of the paper will enable adequate addressing of the difficulties and problems faced by enterprises in Kosovo and enables the extraction of the necessary recommendations for the next steps of development of SMEs, creating incentives and support for economic activities that develop them in order to support economic growth and employment in general in future generations.

Key words: SME-s, Development, Economy, Business, Competition

Management of small and medium enterprises in Kosovo

Management is a process of conscious orientation of human activities towards the attainment of the goal.Management is the process of forming and maintaining the environment in which individuals, working together, realize goals previously set. Management of enterprise depends directly on the forms of organization of the firm61.The success of the enterprise manager is important, it has a key role in the work process, uniting and coordinating scarce resources to achieve the objectives of the enterprise, to accept the risk, take decisions in a dynamic environment where intersect and influence on a range of wide economic factors, social and technical.The role of the manager in the enterprise is to ensure that the organization is implementing the basic goals, and efficient production of products and services, to determine and maintain the stability of operations of the organization, to develop the strategy and adopt the organization in a way check against environmental changes as the official authority that manages the organizational system.Usefulness of the organization and the acceptance by consumers of products or services that the enterprise depends on how business manages its basic operations such as planning, organization, management, staff and control that make up a process that fulfills the work activities in enterprise. the activities necessary to carry out the work and create quality expected by customers.

[61] Research (SMEs) by the Ministry of Trade and Industry page 20

Understanding the role of small and medium enterprises in the country's economy

SMEs have very long history, and their development is marked by their extension and occasional stagnation.The rapid development of SMEs arrive in the early 70s of the twentieth century. Innovation is that from then SME-s successfully face the challenges of competition and globalization62.
Trying to make a reflection on the role and importance that SMEs in the domestic economy, we arrive at the general conclusion that primarily SME-s are gaining more and more importance in the market economy.Their importance is reflected every time more job opening, a powerful reason to solve a vital problem as is unemployment in the country.The role of SMEs is seen as irreplaceable support point that based on this can be strengthened areas of innovation, then the improvement of economic structures of the country, hence the improved offers in the market, and development of entrepreneurship.It is worth mentioning that the latter is given great importance and some times we have heard numerous projects from foreign organizations that are funding and strongly support the field of entrepreneurship, and is supporting our local businesses in an effort to increase and the overall development of the economy.
SMEs today are oriented towards the local market, and the role of the biggest ever in international exchanges.In economic literature developed countries today are distinguished four contributing factors of SMEs in the market economy.
1→Contributions to the processes of technological change,
2→Contribution in bringing healthy competition,
3→Creation of new jobs,
4→Rich offer of local products.

It is considered that about 60-70% of new jobs in the OECD (Organization for Economic Cooperation and Development) developed of the world are based on the development and establishment of SMEs.Impacts on the growing importance of SMEs come mainly from the increased share of the service sector, manufacturing and construction sectors.SMEs today are demonstrating a high degree of innovation, flexibility and adaptation to changes that occur in the environment.
Economies that have large percentage of SMEs come easier and less affected by the recession.Greater presence of small businesses will affect the direction of the company in the local market, a reduction in demand for capital and consulting services, do not use the markets in which we can benefit from the presence of economies of scale.Currently, there is an unfavorable environment, and the absence of creative and entrepreneurial culture, today the economy is changing, providing opportunities for new businesses.The private sector has a direct impact in the field of technology, in bringing healthy competition, opening new jobs and offer rich product in local markets.According to some research from the current situation in Kosovo and in the region we can say that the level of SMEs, despite the continuous development is facing a number of barriers that have to do with the lack of legal environment, unfair competition and lack access to external sources of financing63.

SME development in Kosovo

SMEs are a very important component of economic development of Kosovo.They are considerable source employment and help to stimulate innovation, economic dynamism and competitiveness. SMEs in Kosovo have begun to be established prior to 1989, but more pronounced growth of their establishment have achieved in the years 1990-1993.
After this period, their foundation begins to decline significantly.The establishment of these enterprises is not the result of creating the necessary conditions in Kosovo, but were years when people dismissed from work as a solution to the situation at that time to survive they are forced to set up their enterprises as an alternative to its own employment and family.More than 38% of SMEs have been established until 1990 so that after this year the dynamics of the SME foundation comes constantly dropping to 0.7% in 1998.

[62] Small Business and Medium Importance of SMEs in market economy page 25
[63] Financing of SME development draft research report page 3

The causes of the decline can be explained by the political and security situation in these years, as well as sample survey which has been focused on researching the characteristics of the same enterprise development (sample) since 199764. Using legal possibilities created these individual entrepreneurs make their transformation activity in private enterprise.These resources, although without enough were important for the development of the initiative for the establishment of private enterprises.After the war, it has manifested a temporary revival and recording of many business entities.In the mid founders there is a high level of professional training with higher education, since most of them (58%) have completed at least high school, and more than (98%) have completed high school. Gender structure of founders dominate men (96.4%), while women make up only 3.6%.Statistics from that time as the establishment of enterprises by women have undergone minor changes in percentage growth, still have a strong support with the empowerment of women in the establishment of businesses.
In 2000, in a third of cases the management of the company as a whole is divided by function property.

The role of the owner as the manager is further expressed to micro enterprises (45%), while this role is expressed less to small enterprises (33%) and no less to medium enterprises (22.4%).
Almost half of medium-sized enterprises run by the manager and owner together (47%).Most enterprises (73.8%) have been established by a founder, (16.1%) of them from the two founders, while 10.1% have three more bodies, which means that the greatest percentage of businesses in Kosovo is made up of small businesses and to medium and a small percentage of them belong to large businesses (corporate).
By 2004 he had constant increase of SMEs, the statistics for this year were 75.2% but in 2005 we see a decrease in individual enterprises and 3.2%. also to businesses organized as limited liability companies notice a significant decrease of 8.7% or by 20% in 2004 to 11.3% in 2005.
But after this year the economy has continued at the rate of 3-5% growth for nearly a decade. There are indications that in recent years the most important activity of the SME sector is becoming production while the share of trade in the overall structure of enterprises is falling, while manufacturing and services are increasing their participation.

Review of the current situation of SMEs and not obstacles to development

Small and medium enterprises are the promoters of the creation of new jobs, they are just driving force of economic prosperity, greater hopes of youth as we know that SMEs employ the largest number of young people in Kosovo.Operation of SMEs play an important role in the overall scheme of economic development as they account for 65% of jobs in the Republic of Kosovo.
The role of SMEs is observed through the influence and contribution to employment and to raising domestic product (GDP).Despite this, Kosovo is still in transition phase, where entrepreneurs and creation of small businesses are expected to play important role in the path to modern market economy free, fair therefore economic development and growth65. Lack of innovative businesses with fast growing creative entrepreneurship culture in the workplace as in Western developed economies lead Kosovo into a lack of investment and research development.More than 50% of small and medium enterprises in Kosovo are oriented in the trade sector, which is characterized by small investments and only 10% of them operate in the manufacturing sector.This is mainly due to the fact that SMEs in Kosovo are not competitive at the international level and as such are not directed towards.

Today SMEs are weak exporting products, and not competitive which prevent a further contribution to raising domestic product, the creation of jobs and economic growth in general.The difficulties that our enterprise products to penetrate the market, the best show the necessity that Kosovo SMEs for reforms in management, marketing and a more decentralized system of enterprise.

[64] Riinvest, Profile, Institutional surroundings and competitive SMEs in Kosovo, The dynamics of development of SMEs in Kosovo page 28
[65] Strategy for private sector development 2013-2017, Industry and SMEs page 9

They need greater regional expansion, and this should follow the rising level of education and training.Moreover also need to work more in increasing the participation of Kosovo products in the markets of neighboring countries and certainly also in the markets of other countries of the European Union (EU).
Due to the relatively low level of integration of Kosovo into the global economy and lax fiscal policy, the economy has been significantly protected from the global economic crisis.Economic growth has largely been driven by trading costs, while external trade balance has remained high.
Based on the report of the World Bank, a major part of economic progress it has recently been based on donor aid and remittances, which can not be the basis for sustainable economic strategy.
In terms of policy development, the report "SME Policy Index of 2009" shows that for various reasons, Kosovo is still at the stage of completing the basic institutional requirements, legal and regulatory frameworks dealing with SME policy66.
From research that have been developed with enterprises, micro, small and medium enterprises, specifically referring to research of 800 SMEs realized in late 2010 and early 2011 show that the main obstacles of development SMEs related with the creation of jobs are as follows:
☑ Access to finance (credits, interest, timeliness);
☑ General economic situation;
☑ Electricity energy;
☑ Foreign trade circumstances67.

SMEs in Kosovo suffer from a variety of internal and external such as68:

Protected market- local SMEs operating in a protected market that the fact is very small in volume,with high transport and import costs and as a result is outside the focus of international companies.This results in prices that are generally high by EU standards.Kosovo producers, with low wage costs are able to achieve better profit margin despite generally showed low levels of competence, efficiency and effectiveness.The fact that some companies can generate a profit despite appropriate production facilities and organization ineffective, make companies believe that they are competitive, while the main reason for their competition "perceived" is the lack of international competitiveness.
Low price perception in Kosovo - where the majority of SMEs in Kosovo believe that only low priced goods have sales, despite evidence to the contrary on the shelves of the shop. Most of their products are weak, conservative with poor packaging and promotion.The price is understood by everyone and is easy to change and the quality of packaging and distribution of products is much more complex.
The family management - the biggest problem in most local companies is customary to include family members in top management.Highlighting the lack of confidence of other people resulting in the employment of a family member in managerial positions regardless of their professional qualifications.SMEs will not be able to develop competitiveness or increase if the manager do not employ because of their qualifications, skills and experience.
Lack of focus - there is a tendency among SMEs in Kosovo, to achieve a state of relative success to begin the process of developing business areas in which management has little or no knowledge and experience.
Lack of strategic perspective - In Kosovo there is a tendency among owners and managers of SMEs to develop business without plans and strategic thinking that as consequence they arising in market without proper perceived and considered analysis of the trends and characteristics of specific segmentation market, existing competition or reflecting on their internal resources and competencies in relation to the new business area.
Customs duties on imported basic materials - For small countries with small domestic markets, export represents the opportunity for almost unlimited growth.SMEs are needed to import unprocessed material to produce their final product.In Kosovo today, reported by the managers interviewed, companies are subject to 10% customs duties on imported raw materials that are not recoverable when the final product is exported.

[66] Strategy for private sector development 2013-2017, Industry and SMEs page 9
[67] Strategy for private sector development 2013-2017, Industry and SMEs page 9
[68] Starting businesses and services to support initial businesses in Kosovo page 32-34

Training - Most owners and managers of enterprises in Kosovo do not have a formal education on the management of a company.The need for education and training is recognized but there reluctance to participate and invest in training activities.Kosovo does not believe in formal training as an important way to develop competition.In the future, interventions should be directed towards supporting individual companies and training must be combined with independent consultancy.

Government program for the development of small and medium enterprise

Governing Programme 2011-2014 (Kosovo Government, 2011b), the Government establish strategic objectives for the improvement and development sector of industry and SMEs. Strategies are designed to provide medium and long term framework for the development of these sectors.
The government's program is based on four pillars:
1→Sustainable economic development;
2→Good governance and strengthening the study of law;
3→Human capital development;
4→Social Welfare.

The importance of innovation is highlighted across throughout the document.Specific measures to support SMEs and private business sectors include the presentation of a development scheme to support the preincubation periods, incubation and post-incubation in order to increase competitiveness and innovation of SMEs.The program includes innovation as the driver of economic growth and stresses the importance of promoting innovation in the overall economy69.
Kosovo institutions have intensively continued speed on simplifying national legislation in the field of industrial policy and SMEs.

It adopted the Law on Economic Zones, which clearly defines the role of government and the municipalities in the creation of free economic zones.Kosovo has made progress in the ranking of "Doing Business" of the World Bank. In March 2013, the Government of Kosovo approved the Strategy for the Development of the Private Sector from 2013 to 2017 in order to develop competitive private sector.

Strategy identifies strategic industrial sectors who have to take account relevant Kosovo institutions, as well as priorities in the legal aspects of the approximation of national legislation with the EU, in particular in the area of free movement of commodities and trade.Despite the above achievements, there remain a number of challenges that Kosovo institutions should address effective mechanisms for their elimination. Development of the institutional framework remains part of preparing local authorities for the implementation of SME policies, with particular emphasis implementation of the strategy for the development of the private sector, as well as an action plan which should be monitored more effectively.In order to addressing the challenges evident the aforementioned, MTI will make development of enterprises categorized systems. This will be achieved through improvement of the existing data on SMEs and their classification and categorized on a sectoral basis.
MTI together with municipalities will continue to further reduce barriers to doing business, with a focus on barriers that are within the competence of municipalities. Enabling online business registration will be an incentive indicator for young entrepreneurs to facilitate the procedures.Within the administrative advances in this direction will be the unification of the number of businesses that will serve as accurate statistics for the development of other planning ahead.
With the aim of improving access to finance for private sector enterprises in general and MTI will realize the applying for membership in EU development institutions and other donors, with the aim of creating financial instruments to facilitate SME access to finance.
At the same time it will work to increase funds dedicated to the credit guarantee scheme, as well as increased funding for SME subsidies.

Business impact of small and medium enterprises in the country's development

[69] Evaluation of Innovative System in Kosovo, the Kosovo Government Program page 44

SMEs are businesses that make up 99% of the country's economic development, and is considered as one of the basic sectors in the creation of a sustainable economic budget of the Republic of Kosovo.
SME development is an essential element of economic development in the Republic of Kosovo and to contribute to increasing employment and existence, economic and social welfare of families in the country.But to create a family business many people reluctant for many reasons, first they do not have education, do not have the experience and the money simply afraid that may fail, while others not familiar with the idea that we can not change life their own established business therefore lack the courage, while others left without work and have no income with which to survive, opening a personal business an economic necessity and a challenging thing because before theycan presented real difficulties and risks.But the question is whether they have institutions of Republic of Kosovo, respectively, including the Government, a strategic document that will assist in the development of the country in economic terms?
Government of the Republic of Kosovo has adopted a strategic document known as Vision 2014, which sets new ambitious goals in order of growth of 7-8%, which would reduce unemployment by 8-10%, while SME Strategy sets out clear guidelines on how Kosovo that aims to support the private sector in increasing its competitiveness.
SMEs operating in the all parts of the economy, where it is worth noting the service sector, retail, and all the areas where economic activity is extended.To develop a healthy economy, and sustainable development that opens up new places of work, of course, that the country needs for financial support from the government and major development projects that will assist the SMEs in terms of overall development to buy new technology and advanced and opening new stores with different economic activities to employ more people, depending on the needs and possess the skills, which will result in the development and establishment of perspective in the local economy.
It is important for the government to allocate sufficient funds for businesses that have good performance but also make efforts to motivate new businesses and especially for presentations of best business plans in an effort to open new businesses which claim that these products are new businesses ensure new work places because an essential element in our country is the issue of employment of youth and middle layers of the active population as initiatives that are seen so far is making efforts to support and strengthen the private sector because the private sector is a system that functions more as compared with the social.SMEs are a promoter of economic development, they represent an important source of employment for the population and they are pillar of economic development.

Conclusions and Recommendations

Conclusions

Lack of proper legal infrastructure that regulates the manner of establishment and operation of SMEs in Kosovo, the absence of major economic policies that support the development of the private sector and in particular SMEs are further impedes smooth functioning and the normal development SMEs, some of which with more difficulty and risk investments have survived since the postwar period.

Do not definitive definition of competencies in certain areas of economic activity, as in the area of fiscal policy and administration in the field of monetary and credit policy, and in area of exchange with the world and payments with the world, are creating problems and obstacles which later are hesitating reflect developing private economy, even total collapse of some SMEs.Kosovo's government has repeatedly stated and has made efforts to adopt numerous programs, to achieve during their time are in power governing, but not every time these plans reached the target and goals realized.In one of the governing programs of the year 2011-2014, defining the objectives and strategic framework for the work ahead.Economic program based on the principles of a market economy with free competition.

This vision will be achieved through market mechanisms with the state institutions will aid in regulating particular sector and to ensure the social welfare of citizens.Identification and exploitation of comparative advantages of the country, economic subjects and human resources, as well as optimization of the use of these resources are substantial elements for the welfare and economic prosperity.

Recommendations

To have larger initiatives of the government for financing of SMEs including relations with donors and other entities which will result in alternatives to finance SMEs and reducing the disproportion between supply and demand.Creating a strategy that aims to improve of management of investments in key sectors, as well as of government's effort to stimulate the increasing competition through banks and nonbank financial institutions, which enables further improvement of credit conditions and financing.

Create opportunities for promotion and export support activities, including the possibility of SMEs to cooperate with foreign partners through joint investments.Developing legal and regulatory framework more transparent, including greater opportunities for participation of the business community.
To be further developments programs for credit guarantees to the Kosovo market, which need legal regulation, information and training.

Strengthening cooperation between the business community and the government as well as promoting sufficient investment possibilities in the SME sector. Through support and further development of SMEs to contribute to employment and economic development.

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PHD. SANIE DODA, PROF. ASS SHKELQIM FORTUZI – THE IMPORTANCE OF BANK IN ALBANIA

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Abstract

Today, banks and their business are very much discussed for their positive role and sometimes, for the negative role in economic and social life. the lack of a full-fledged banking system has often been identified as a major weakness of the centrally planned economies. Therefore, reforming the banking sector in the former communist countries and creating a new culture of trust and confidence has been a crucial task in the process of transition to a market economy. Most transition countries started their banking sector restructuring rather cautiously via introducing numerous restrictive bank regulations and gradual liberalization. Banks act as brokers between supply and demand of securities, and they transform short-term deposits into medium- and long-term credits. Specialized information on financial products is gathered by banks to improve investment decisions and to manage the risk. Individuals and organizations can apply for loans for a wide variety of reasons. Lenders, however, market a wide variety of loans for many different purposes. Each type of loan has its own risks and standard terms, depending on its function. Lenders may be more willing to make certain types of loans than others based on their purpose.

Keywords: Bank, market, macro economy, loan

The concept upon the Bank

The functions included today in the banking system origin, are ancient. Large amounts of wealth, usually, were protected in temples or were trusted to important priests. Greece is thought as the cradle of banks because it contains the first recorded banking operations. In the Middle Ages, in addition to lending in money, there existed the lending in nature, even with interest rates. Rich people used securities when it came to big amounts or valuable goods (Neal, Larry 2000). Securities were the antecedent of today's cheque, which made possible the fast, huge enrichment of bankers at that time, especially of those who exercised their activity in big trade cities like Florence or Amsterdam. Some, even, became such wealthy people that were able to lend to noble families and to kings who, due to their inability to pay the money back, gave noble titles.

Origin

The first bankers were responsible to protect gold and valuable things. When such wealth came requested, the owner would submit a document, which verified the proprietorship and the date the owner had placed the gold. Over the time, the depositors always withdrew a part of the gold so it was thought that the rest could be invested by the bankers in different profitable activities. Even if, some client asked for the entire wealth deposited, their request would be fulfilled using a part of the gold deposited by other clients. Since Italians were the most distinguished bankers, they exercised their activities in many countries of Europe. Borsa, was one the most famous families in this field. In 1609, this family established the first Stock Exchange in Amsterdam. The word Stock Exchange (Borsa) derives precisely from the family that founded it. Exchangers' activity developed in the Middle Ages. Princes of Europe did many wars. In order to recruit and pay soldiers they needed gold (name of the money at that time). Until then, church and its policy used to criticise money, however, it could not obstacle its development and its spread. In the beginning, lending has been the activity of Jewish but with the time, it spread largely in many empires. Barnabé de Terni was one of the first nobles in 1462

who lent money with interest rates. Afterwards, even in France, especially in the time of Louise XVI, there were created some funds that served for lending which were based on an interest rate by 10% of the entire amount. The word BANK, in most of the linguistic dictionaries entered in the XV century. Bankers of North Italy moved throughout Europe and exercised their activity sat on a table or on a desk (Banka). This is one of the hypotheses for the origin of the word BANK. The oldest document witnessing for a loan belongs to the year 1207, in Palermo. However, unfortunately, banks have often become a subject to distrust.

Creation and function of loan register

The function of Loan Register represents an important development of financial infrastructure in Albania. Loan register is the electronic base of data for the borrowers/loan-receivers of the Albanian banking system and aims the concentration of information. Function of this register aims the increase of possibilities to make big accrediting transactions. It offers an additional instrument and very useful to deepen the analyses. Function of this Register avoids borrowers to loan from bank to bank without declaring their liabilities on loans accredited by previous banks. Also, the register impacts the decrease of informality in economy, the increase of loan portfolio (White, L.J. 1991), the reduction of cost and time of accreditation process and the growth of economy in the country.

Policy of Loan accreditation

Loaning is the main business for most banks. Loan portfolio is often the biggest activity and the main source of income. Its policy shall determine the areas where loan will be accredited, the way of accreditation and how it will be used and cashed in. Loan is a banking product that generates interest for the banks (Willis, M. and Saegesser, B. 2003). They are classified:
☑ Business Loan where it is included the entire loan portfolio of a bank for business purposes. It includes short and long-term loans, for liquidity capital, for investment, overdrafts, etc.
☑ Loans for Individuals where it is included types of loan accreditation relationship the bank creates with individuals, by considering non-financing of a profitable business (Wiginton, J.C. 1980). Loans to individuals are loans to buy a house, consumer loan, study loan, car loan.
In making the policy of loan accreditation, it must be placed emphasis to the valid financial sources of every bank, personnel, instruments, and their growing potential in the future. It should be defined clearly who the loan taker should be, what kind of loan it would be and what would its interest be. Other internal factors to take into consideration are such as who will accredit the loan, the amount of it, and what organizing structure will be used in order to comply with the instructions and procedures (White, L.J. 2002). But also, loan is the main source of risks that the bank faces. The risk of a loan is the exposure of a bank to a client or to a connected group of clients in case of bankruptcy of the client. The risk may also be the exposure in an economic sector, like real estates or in a geographic position.

Number of banks and geographic extension

During these last two years, there are 16 Banks that have operated in Albania. The geographic extension of their branches is different for each one of them according to their power of investment, strategies that they have followed in the first years of their existence etc. The largest extension in the Republic of Albania belongs to the Raiffeisen Bank, due to the geographic hereditary extension of Savings Bank and its investing power. Considerably large extension belongs also to banks like ProCredit, BKT, BP, BASH, BT, whereas the other banks lie in cities.

16 Banks have operated in Albania:

Raiffeisen Bank sh.a
United Bank of Albania sh.a
Veneto Bank sh.a.
National Commercial Bank sh.a
Tirana Bank sh.a.
NBG Albania Bank sh.a
International Commercial Bank sh.a
Alpha Albania Bank sh.a
Intesa Sanpaolo Albania Bank sh.a
Procredit Bank sh.a
Crédit Agricole Albania Bank sh.a
Credit Bank of Albania sh.a

Credins Bank sh.a
Société Générale Albania Bank sh.a
Union Bank s h.a
First Investment Bank, Albania sh.a.

Banking business and macroeconomic conditions

Albania has achieved great successes in the last 15 years within the framework of many transforming processes in social economy and market stability, democracy, legal state and its objective to declare the full integration in the structures of EU, despite Albania's difficulties. The agreement of Stabilization and Association with EU in June 2006 is a big step in this process but very important it is also the candidate status in 2014. At an average growth by 5,7% until 2013, Albania is the country with the highest economic growth in the region. Due to some existing gaps, especially in the weak administrative structures, corruption, and unsolved cases of land proprietorship, Albania continues to range the last in the region for direct foreign investments, private investments and exports. Although there have been important achievements in the last years to proximate the Albanian legislation with the European standards and regulations, their implementation goes slowly. Albania has natural resources that are not exploited and also big potentials in agriculture and tourism. Its geographic position makes Albania a key point in trade relationship in the area of Balkans and Mediterranean. The religious tolerance makes Albania be an example for other countries.
Financial speculation decline in 1997 and conditioned decline of conjuncture in 2002 interrupted positive developments for a while. In 2005, economic increase reached 5,5% and in the fourth trimester of 2012 PBB it increased by 1.7% compared to the fourth trimester of 2011 and compared to the third trimester of 2012 it increased by 0.1%. The domestic demand, supported by the fast incline of accreditation of economy has been the main urging engine of economic growth during the last years. Bank of Albania has followed a neutral monetary policy. Inflationist pressures of inner and outer climate have been monitored and kept under control during the first trimester of 2013. Consume prices during the fourth trimester of 2012 and during the first trimester of 2013, have been relatively stable. The main factors affecting consume prices during this period has been the development of import and especially the developments in the international market of oil, pressures of administered prices and tendency to go toward devaluation of ALL currency and Euro. Preliminary data for the first trimester of this year, suggest that the pace of economic growth is high. Employment indicators, increase of exports and imports and loan accreditation, show that the domestic demand is high, despite the problems caused by the difficulties in production and use of electric power. Economic factories production has been high in the last trimester of last year. Annual rate of sales in the fourth trimester scored 23% and the annual increase of sales of construction enterprises was lower than the sales of three years ago. Trade sector and service sector continue to register considerable rates of sales and such thing shows a good domestic demand and an improved quality. The Albanian banking sector and financial system showed stable performance in the first half of 2014. The volume of activity grew and the financial performance improved. The banking sector's liquidity and capitalisation ratios were at an adequate level during the period. The loan portfolio quality remained a concern, although the non-performing loan ratio appeared more stable and the non-performing loans, in terms of absolute value, were lower year-over-year. Loan loss provisions and collateralisation of non-performing loans were at adequate levels.
The macroeconomic setting is stable, supporting the performance of the financial system. The improved economic growth, and the fiscal and monetary policy actions were accompanied by an adequate functioning of financial markets and lower financing costs.70

Price stability

In the first trimester of 2013, the annual inflation was 2.5% with a tendency to decline during its months. This development was affected mainly by the low pressures of inflation in the demand, toward short-term fluctuations of offer factors. Mid-term stability of exchange rate helped to flatten imported inflationist pressures. Stability of inflationist expectations of market agents about the inflation objective, as well the projects on it and on economic growth, supported the formulation of a stimulating monetary policy during the first trimester of 2013. Mid-term projects show that inflation will continue to fluctuate in the below part of interval of the objective for it, conditioned by the

[70] http://www.bankofalbania.org/web/BANK_OF_ALBANIA_STATEMENT_7140_2.php?kc=0,5,0,0,0

predictions of production during this year. However, because of the high insecure economic conditions, sudden foreign or local hits may increase predictions fluctuations.

Consume prices

Annual inflation for September 2014 was 1.5%. Inflation is an indicator of change of general level of prices in economics. It is measured as the change of Consume Price Index, so with the change of price of articles of the basket which represent goods that are usually consumed in a family. In 2013 inflation rate was 1.9%, a figure 0.5% lower compared to 2012. The month with the highest inflation rate is December, by 1,7%. As it is expected, the end of the year marks an artificial rise of prices of goods in the consume basket. The developments in inflation confirmed estimations of Bank of Albania, in addition to low tensions of inflation regarding the demand. Insecurities in economic activity, continued to reflect in the low exploitation of producing capacities and in the instability of job market balances. For a mid-term period, these developments are translated in the formation of a low inflationist profile of job costs and producing costs in the country. Weakening of above tensions of inflation continued to be supported by relatively long stability of local currency in the internal exchange market. These factors have dominated on price increase of some goods and services during the first quarter of 2013.

Job market and wages

The fourth quarter of 2012 recorded a clear improvement of employment indicators. From one side, the reform in the public sector has continued to lower the number of employees, while it seems that the non-agricultural sector has attracted a part of the free labour force. The implementation of government policy which aims tax decrease for the small business and supervision rise on public administration, have activated the process of employees registered, thus tightening the non-official market operation spaces of employment.
Starting from the second half of 2012, the number of employees is increased alongside with the registration process of jobseekers at employing offices. At the end of 2012, the number of employees reached 4000 people compared to the previous quarter a year ago it was 1000 people. Labour force in 2012 increased with more than 1600 people, compared to the end of the year when the indicators had a continuous decrease. Due to the dynamic of above indicators of job market, employment rate recorded a relatively stable estimate by 13.9%.

Macroeconomic developments

Albanian economy scored a small increase during 2012 and 2013. Economic and financial situation in the partner countries were reflected on the low demand for Albanian exports, on tight financial conditions for foreign capital, on a large insecurity on economic agents and on controlled inflationist pressures (Dutz M.A., Vagliasindi M 1999). Private consume-a main determiner of prices-became very weak. Being in front of a weak consumer demand, businesses had little space to grow investments and consume prices. In an economic environment with weak inflationist tensions, consume price inflation remained in low levels during the first quarter of 2013. Economic and monetary analysis and projects indicate that consume prices will rise in line with the objectives of Bank of Albania, along the time horizon of the activity of monetary policy. Mid-term inflationist expectations remain anchored beside the central bank objectives. In the first quarter of 2014, the Albanian economy expanded by 1.65% and 0.2%, in annual and quarterly terms. Except for the construction sector, all the other sectors of the economy contributed positively to the economic growth (Salko D. & Dhuci O., 1999). The latter reflected the relative improvement of domestic demand, affected mainly by private consumption and investments. Nevertheless, with the unemployment rate resulting 17.7%, the economic improvement has to become sustainable to affect the labor market. External sector developments made a negative contribution to economic growth71.

[71] http://www.bankofalbania.org/web/BANK_OF_ALBANIA_STATEMENT_7140_2.php?kc=0,5,0,0,0

Economy outer climate

European Union countries are the main commercial partners, whereas the biggest part of transactions operates with Italy and Greece. In recent years, it is noticed an intensification of commercial relationships with other regional countries like Turkey and China.
The country remains supported by exports of imports of shoe fabric, which make the 60% of the total of exports and the worst is that 7% of these exports go to Italy.
Food and drinks exports -Albania is thought to have an exporting potential of 8% of the total of exports with a growth by only 3% of the weight, compared to a year ago.

Problematic of export area

General problems that recently have been evidenced as obstacles and need a powerful intervention to be solved:
- Factors related to structural development of reforms and business climate (property rights; administrative obstacles and subjectivity of administration; low quality of public services; accreditation problems, etc.)
- Factors related to isolationist heredity, weak infrastructure, insufficient culture of entrepreneurship and management, etc.

Some specific problems on goods export:
- Factors related to economy, firms and Albanian products ability to compete;
- Factors related to product marketing for export etc.

Economy development in Albania

The development of Albanian economy will continue to be limited by the unfavourable developments of economies of main partners, especially in this difficult period of political and economic crisis. The low pace of economic growth in these countries is expected to reflect in the slowest dynamic of local export increase in the current year. Foreign inflationist pressures upon price making chains (basic and consume product prices) are foregone as checked and continue to be helped by the exchange rate stability. Even though, developments in global financial markets do not reflect tensions or difficulty in liquidity, foreign conditions of financing are tight.

Future Challenge, Islamic Banking Business

As a unique form of offer-demand function, Islamic finances and their application belong mainly to a specific state group of Muslim religion. However, Islamic financial products exist today in some European countries or are offered by European and American banks to their customers of Muslim ethnicity or in countries of banks origin. Islamic finances base on principles of Muslim religion and sanctioned limitations stated by this religion. Principles: 1. It is not allowed to apply interest in business relationships and commercial relationships (RIBA); 2. It is not allowed to lend money and use it; 3. It is not allowed by the law of SHARI'AA to finance specific activities considered as illegal (haram): gambling and speculative activities (maysir), production of alcoholic beverages, nightclub activities and commercial activities that are not real products.
Exercising of financial activities according to Islamic principles and the limited freedom of contracts do condition Islamic banking toward[72]:
- product design and used financial instruments;
- creation of new instruments;
- daily management and strategic management of these institutions;
- dealing with the competitiveness of conventional local, regional and global banking institutions

[72] http://www.islamic-banking.com/what_is_ibanking.aspx

The development of Islamic banking starts in the years after they won independence from the most Islamic countries under European colonial regimes, mainly in the '60s. The first serious initiative for the creation of Islamic banks was Mit Ghamr Savings Bank established for small savers of the countrysides. Another initiative was the one of Egyptian government in 1971 of Nasser Social Bank in order to support financially the classes in need. The first Islamic private bank was Dubai Islamic Bank in the United Arab Emirates (UAE), in 1975 with the participation of Kuwait government (10%) and UAE (20%). The bank aimed the economic and social development of Islamic Countries Organization based on SHARI'AA's laws. During the '90s, there were other Islamic financial institutions that started to grow rapidly: insurance associations and investment funds. Islamic banking is applied as a complete system in Iran, Pakistan and Sudan. Whereas, it functions as a mix banking system with conventional and Islamic banks in Malaysia, Egypt, Jordania, Bahrain, Indonesia and Turkey. Islamic banks operate also in Europe: Denmark, Luxembourg, Switzerland, but the most developed banks with a full service and product batch operate in the United Kingdom. Some international banks (HSBC, Lloyds TSB, Citibank, Deutsche Bank, BNP Paribas), offer Islamic products. Financial products of Islamic banking base on the principle of common risk undertaking, by the offerer of the capital and by the borrower, meaning on sharing loss and profits. These are called instruments of sharing profits and loss (Profit-and-Loss-Sharing – PLS). PLS instruments are divided in:

1. MUDÀRABA, or trustee finance contract;
2. MUSHÀRAKA, or partnership financing.

In addition to PLS instruments, as allowed instruments by Islamic banking, there are:
MURÀBAHA, or mark-up;
IJARA, financial rent-leasing;
BAI' SALAM, or payment in advance;
QARD AL HASSAN, lending for charity;
ISTISNA, ora production contract with progressive financing
SUKUK, or Islamic obligation certificate;
Islamic credit cards.

Golden points of Islamic Business IB
Banking Business is a very speculative business, but Islamic Banking Business is seen as an interesting model, perhaps the future model of this Business.
⌦Less possibilities for insolvency. Islamic banks do not deal with the risk of interest rate.
⌦Less sensitiveness toward banking crisis. Islamic banks invest in collateralized instruments
Islamic Banking Business: I think that this is a business to pay attention. It can be referred to it as complete business because it is included in partnership where the risk is taken mutually and there is much less speculations; also because they exercise their activity based on ethical principles. Islamic banks do not invest or finance activities not allowed or considered harmful for the society.

Conclusions and Recommendations

Banks are essential for each country's economy, since no growth can be achieved unless savings are efficiently channeled into investment.

Albanian banks operate in a monopolistic competitiveness environment. They separate from each other according to the market and the products, aiming diverse kinds of customers and by offering products characterized differently.

Banking system is characterized by a continuous growth in the number of banks and expansion of banking activities, as well.
In the recent years, the banking system has also increased the activity in accreditation and in expanding their offer in product gamma.

Financial products of Islamic banking base on the principle of common risk undertaking, by the offerer of the capital and by the borrower, meaning on sharing loss and profits.

Loaning is the main business for most banks. Loan portfolio is often the biggest activity and the main source of income.

The loan portfolio quality remained a concern, although the non-performing loan ratio appeared more stable and the non-performing loans, in terms of absolute value, were lower year-over-year.

In Albania the improved economic growth, and the fiscal and monetary policy actions were accompanied by an adequate functioning of financial markets and lower financing costs.

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ZYMER TAFAJ, FATOS TURKAJ, SAFETE HADERGJONAJ – PROMOTION OF INDIVIDUAL AND GROUP CREATIVITY DURING PROCESS OF MANAGEMENT DECISION MAKING AT KOSOVO BUSINESSES

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Abstract

This paper elaborates topic about promotion of individual and group creativity during process of decision-making, managers during their work often have to take decisions from which depends success and failure of business. Time to time they have to generate new ideas, so they are those who should give opportunity for individual and group creativity at their business.One of the ways to promote individual creativity is employees' involvement in the process of placement this enables manager to generate new ideas, on the other side employees become more responsible and motivated.While group creativity is important for solving complex problems of business.

The main purpose of paper is reflection of promoting individual and group creativity during process of decision making by managers of Kosovo businesses, this promotion helps them with generating the ideas and making right decisions that affect in achieving the purpose of business on the other side employees feel more responsible and motivated to work.

Paper consist of two parts, theoretical part that explains theatrical aspect about importance of promoting individual and group creativity during decision making and it is based on secondary and tertiary data, by using deductive method, while at second part it is used inductive method and it is based on data collected in the field through survey.

During research work quantitative method applies, and two surveys are drafted and surveyed 1,900 business managers that in average are 50 managers in 38 Municipalities of Kosovo and 100 employees for each Municipality, respectively 3800 employees. Surveys are designed in that way, where answers on questions help to elaborate base ideas or hypotheses of this work and through their results we reach to the confirmation or denial of hypotheses. The derived data are presented in graphical and tabular form.

Among the main findings of the paper are that majority of managers at Kosovo businesses declare that they promote individual and group creativity during decision making but they don’t realize it in practice because majority of employees declare that their ideas are not taken in consider during decision making so they are not included in this process. While as recommendation they should start promoting individual and group creativity during process of decision making at Kosovo businesses because it helps in right decision-making of business.

Key words: decision making, manager, creativity, business, individual, group

Introduction

Decision making is the most important activity of management, mangers occasionally face problems that require quickly solutions and decision making and their choices are to make decision by their own or to generate idea and solution from their staff in a way to make this process easier. So managers during their work often should make decisions and from those success or failure of business depends. They occasionally have to generate new ideas, so they are those who should give opportunity to individual and group creativity at their businesses. One of the ways to promote individual creativity is involvement of employees in process of decision making, this helps manager to generate new ideas while on the other side it makes employees more responsible and motivated. Where as group creativity is important for solving complex problems of business.

The main purpose of this paper is reflection of promoting individual and group creativity during process of decision making by managers of Kosovo businesses, because this promotion helps them to generate new ideas and make right decisions that affect on achieving the business purposes, on the other side employees feel more responsible and motivated to work. So let's compare the positions of managers and employees. The research question of the paper is: Is it promoted the individual and group creativity at Kosovo businesses?

The paper consists of two parts, theoretical part that explains theoretical aspect of importance of promoting individual and group creativity during process of decision making and relies on secondary and tertiary data by using deductive method, whereas at second part is used inductive method and relies on primary data collected in the field through survey.

During research work, applies quantitative method and are designed two surveys and surveyed 1900 managers of businesses that in average are 50 managers in 38 Municipalities of Kosovo and 100 employees for each Municipality, respectively 3800 employees. Surveys are drafted in that way that answers of questions help to elaborate base ideas or hypotheses of this paper and through their results we reach to the confirmation or denial of hypotheses. Derived data are presented in graphical and tabular. Also descriptive, analytical and comparative methods are applied in our research work. Samples from where data are taken are managers and employees of Kosovo businesses that were selected in random.

As main finding of work is that majority of managers at Kosovo businesses declare that they promote individual and group creativity during process of decision making they say that they have such a working environment that employees express freely their ideas and they are recognized and rewarded in that way to be motivated, they also say that they use techniques of brainstorming, nominated group and Delphi to promote group creativity but they don't realize this in practice because majority of employees declare that their ideas are not taken in consider during the decision making, so they are not involved in this process.

So at businesses where they work do not promote individual and group creativity, because they don't use techniques that encourage group creativity during process of decision making. Whereas as recommendation is to start promotion of individual and group creativity at Kosovo businesses during decision making because this helps them in making right business decisions and employees will be more motivated and feel more responsible for their activities counting themselves as part of decision making and their efforts for results will increase and this will result with their best performance, managers also will have many ideas available to solve problems and make right decisions.

The hypotheses of the paper

H1: Majority of managers at Kosovo businesses declare that in their working environment,promote individual and group creativity to generate new ideas during the meeting with problems and process of decision making.

H2: Majority of managers at Kosovo businesses declare that they have created such a working environment where their employees freely can take and express initiatives and ideas that help in process of decision making.

H3: Majority of managers at Kosovo businesses declare that they recognize and reward ideas of talented employees, because this encourages them to be more active and to give new useful ideas.

H4: Majority of managers at Kosovo businesses declare that they promote group creativity by using "Brainstorming" where they meet face to face with employees to generate ideas that help in making decisions.
H5: Majority of managers at Kosovo businesses declare that they promote group creativity by using technique of nominal group where they describe problem and employees in independent way write solutions than discuss and choose the best idea.
H6: Majority of managers at Kosovo businesses declare that they promote group creativity by using Delphi technique that presents a written approach to the creative solution of the problem.
H7: Majority of employees at Kosovo businesses declare that at the environment where they work cannot be taken free initiatives to give ideas for solving a problem and decision making.
H8: Majority of employees at Kosovo businesses declare that at the environment where they work does not happen to recognize and reward talented employees that give good ideas that help in process of decision making.
H9: Majority of employees at Kosovo businesses declare that at their working environment is not promoted individual creativity to generate new ideas that help in process of decision making.
H10: Majority of employees at Kosovo businesses declare that at their working environment is not promoted group creativity and does not happen to be used technique of "Brainstorming", where they meet face to face with managers to give ideas that help them in decision making.
H11:Majority of employees at Kosovo businesses declare that at their working environment is not promoted group creativity and does not happen to be used technique of nominal group where managers describe the problem, and they in independent way write the solutions than discuss and resolve the best idea.
H12: Majority of employees at Kosovo businesses declare that at their working environment is not promoted group creativity and does not happen to be used technique of Delphi that presents a written approach to the creative solution of the problem.

Management and Decision Making

Management presents process of aware orientation of human activities towards the realization of specific purpose/purposes, respectively the cross-linked entirety of five functions: planning, organizing, staff (personnel, leadership and control: Ramosaj, 1991, 24). It is the process of forming and maintaining the environment in which individuals by working together achieve goals previously set(Ëeihrich & Koontz, 1993, 4). So management has to do with those people or individual who deal with managerial work oriented towards goals realization at organizations, which we call management work (Ramosaj, 2007, 20). Management is a universal process of formulation and realization of goals of the organization even through other people, by using managerial functions of planning, organizing, leadership and control, also coordination of resources in efficient and effective way (Zeqiri, 2006, 6).It presents the process through which, the chosen group of people lead and orientate all the employees at the company according to joint task for joint purpose (Massic & Douglas, 1973, 24).

Management is the process through which the members and the organization's efforts are coordinated and oriented towards achieving the goals of organization (Kuka et al, 2006, 385). Management refers to the process of carrying out activities in efficient way even through other persons. Four key processes of management are: planning (setting goals),organizing (how to achieve these goals),leadership (motivation of employees) and also control that has to do with monitoring the activities (Robbins &DeCenzo, 2011, 53). So management or economic direction represents the complex process of organization and direction of a company, institution or organization, to provide investment and efficient use of material resources, financial and human recourses through planning, coordinating and activity control, selection of employees and optimizing the decision making process for achieving certain objectives(Skenderi, 2010, 147) Management is a process of aware orientation through which personnel management organizes and orients employees of company according to joint task for joint purpose, by coordinating different resources at process of planning, organizing and control (Konini & Peçi, 1997, fq.184).

Management is realized through managers that in work process unite and coordinate rare resources to achieve organizational objectives, they accept the risk, make decisions, interconnect a wide range of economic factors, social and technical (Koleci et al, 2008, 20). Each of the organizations to achieve a purpose, involves a range of human, material and financial resources, and manager is the one who through management in work process unite and coordinate these recourses to achieve objectives of organization (Kuka et al, 2006, 21).Management process is realized through managers, and they are persons who take tasks and governance functions of any level or any organizational form (Ramosaj, 2007, 308). Manager is called the person who is in charge of: control, organizing and partial or full running of the business of a society or organization (Konini & Peçi, 1997, 184).

Managers work is not easy it is complicated and too dimensional, so one manager to be effective should have four general skills: conceptual, communicative, technical and political skills (Robbins &DeCenzo, 2011, 45). Managers task is to accept the risk and to make decisions at dynamic environment where a wide range of economic, social and technical factors are intertwined and influenced that act as innovators in the presentation and introduction of new products and services of modern technology (Kuka et al, 2006, 21). At work process managers should play a wide range of roles and possess a range of skills to accomplish their task. Among the key roles of manager are: a) interpersonal role: central figure, leader, liaison, b) informatory: watcher, distributors, spokesperson, negotiator and c) decision maker: entrepreneur, conflict handler, resource allocator (Koleci et al, 2008, 45).

Process of decision making is too important for managers during their engagement in planning, organizing, coordinating, motivating and controlling, since they permanently decide to make decisions (Zeqiri, 2006, 149). Decision making is an attempt of a manger to achieve the purpose of the organization by choosing alternatives between two or more of them, with which ones the action is directed to solve the problem (Koleci et al, 2008, 113). Decision-making is one of the most important stages of the process of governance, during which decide what,how and for whom to produce (Sell). This process is usually accomplished by carefully analyzing different alternatives (Skenderi, 2010, 262). Making decisions is one of the most important activities of special individuals of groups or organizations, that is the choice by which a person or a group of people draw a conclusion about a certain situation, it is the process of choosing an alternative among a set of possible alternatives (Llaci, 2002, 111). Decision making is a process of defining the problem, formulation of alternatives for problem solving, choosing the best alternative, implementation of choice and its control(Zeqiri, 2006,143). There are four decision making models: physical, schematic, mathematical and probabilistic (Ramosaj, 2007, 58).

Separation and simple classification of the types of decisions would be in: routine decisions and not routine, whereas the most sophisticated separation of decision types it is done in routine decisions, adaptive and innovative, but there are also programmed and un-programmed decisions, proactive and reactive decisions and intuitive and systematic decisions (Koleci et al, 2008, 108-110). In general types of decisions can be grouped in: strategic, tactical and administrative decisions (Ramosaj, 2007, 57). Decision making is a whole of several steps that include the identifying of problem, selection of a solution for this problem and assessing the effectiveness of this solution (Robbins &DeCenzo, 2011, 45).

Promotion of individual and group creativity during process of decision making

Managers should provide opportunities for creativity in organizations to generate new ideas, to do this it should be created an environment of a free initiative, experimentation, verification and failure, as an opportunity to learn from mistakes (Zeqiri, 2006, 161). Successful realization of the creative process requires from manager to rely on two basic elements: convergent thinking as an attempt to solve problems starting from him and walking in a logical manner towards solving the problem and divergent thinking as an attempt for solving the problem by suggesting different ways and searching new alternatives (Llaci, 2002, 137). The quality of decision making by managers depends heavily on their creativity and innovative responsibility to respond to the challenges that face the organizations

(Zeqiri, 2006, 160). Formulating a creative idea is not processing of any known idea, but a totally new process and consists of the following sub stages: familiarity with the problem, collection of data from many sources, incubation (for data should think deeply, elimination (new thinking about the problem) and verification (if the choice will work) (Ramosaj, 2007, 55).

Promotion of individual creativity is involving of employees at process of decision making, knowing that they work on vital issues for organization, to be more responsible and motivated besides this also recognition of ideas of talented employees and their reward is an encouragement of individual creativity (Zeqiri, 2006, 161). In practice a considerable part of the decisions are taken by a group of people so managing boards make decisions for the future of the company, project teams get involved in solving the problem, So the nature of the problems and the size of their impact,in the organization affect in that way if decisions should be taken by groups or individuals (Llaci, 2002, 137). Promotion of group creativity is important for solving complex problems under conditions of uncertainty and innovative decision making, because decision making in group enables the combination of more experiences, generating more ideas and processing of more information (Zeqiri, 2006, 159).

A number of promotion techniques of creativity and decision making in groups are: Brainstorming, Nominal Group technique and Delphi technique (Kuka et al, 2006, 148).
⇨Technique of Brainstorming: is decision making technique where managers meet face to face with employees and throw many ideas which than will be modified and improved (Llaci, 2002, 141).
⇨Technique of nominal groups: is technique of decision making in which group members are physically present but operate independently (Robbins &DeCenzo, 2011, 45).
⇨Technique of Delphi: presents a written approach towards creative solution of problem (Zeqiri, 2006, 162).

Individual decisions and also those in groups have their own power and none of them is ideal for all situations but in different situations have their advantages and disadvantages (Robbins & DeCenzo, 2011, 45).

Results of the research - Analysis of data

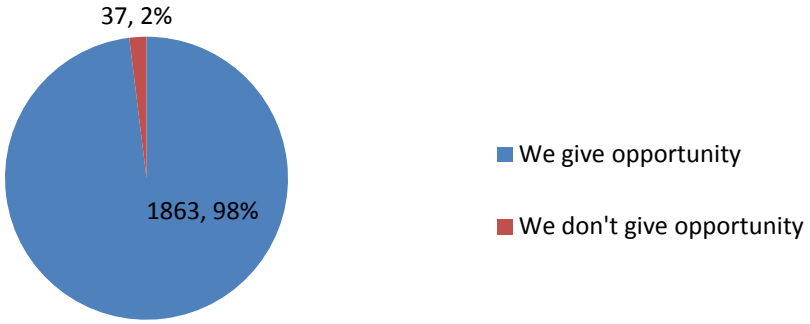
To reach appropriate conclusions, and to express in the most comprehensive attitudes about promoting individual and group creativity during process of decision making by managers of Kosovo businesses, was drafted a survey which one is focused at managers and employees of businesses and presents their attitudes about this phenomenon.

During research work applies quantitative method where are drafted two surveys and survey 1900 managers of businesses that in average are 50 managers in 38 Municipalities of Kosovo and 100 employees for each Municipality, respectively 3800 employees. Surveys are drafted in that way, where answers of questions help to elaborate the base ideas or hypothesis of this paper and through their results we reach to the confirmation or denial of hypotheses. The derived data are presented in graphical and tabular form. Also descriptive, analytical and comparative methods are applied in our research work. Samples from where data are taken are managers and employees of Kosovo businesses, who were selected in random.

Now let’s see the achieved results.

Do you give opportunity for individual creativity to generate new ideas?

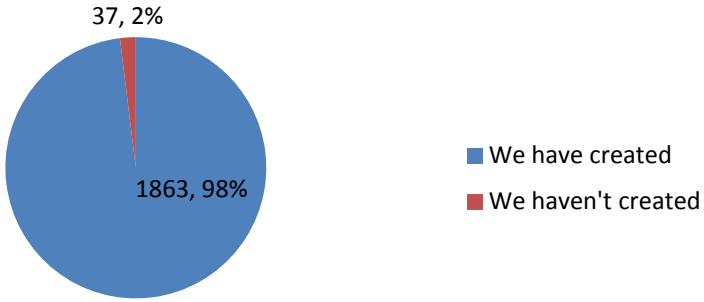
Fig.1. Opportunity of individual creativity.



At the above figure 1. it can be seen that majority or 98% (1863) of managers at Kosovo businesses declare that during their work they give opportunity for individual creativity to generate new ideas whereas 2% (37) of them declare that they don't do this. Results of this figure certify our first hypothesis.

Have you created environment of free initiative ?

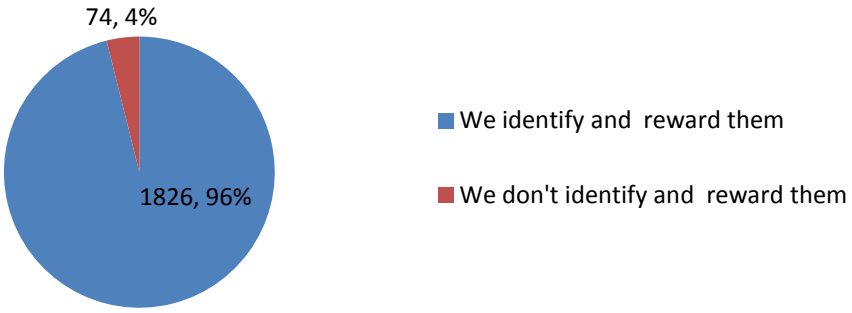
Fig.2. Environment with free initiative .



At the above figure 2. it can be seen that majority or 98% (1863) of managers at Kosovo businesses declare that during their work they have created environment of free initiative to generate new ideas whereas 2% (37) of them declare that they don't do this. Results of this figure certify our second hypothesis.

Do you identify and reward ideas of talented employees?

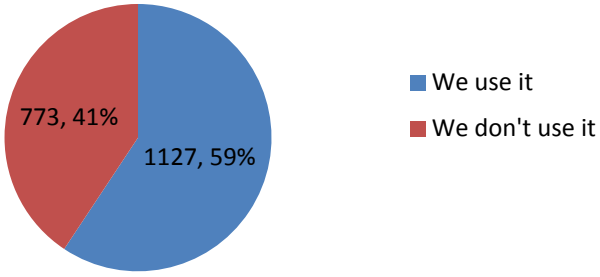
Fig.3.Identification and reward.



At the above figure 3. it can be seen that majority or 96% (1826) of managers at Kosovo businesses declare that they identify and reward talented employees who give new ideas to help on decision making whereas 4% (74) of them declare that they don't do this. Results of this figure certify our third hypothesis.

Do you use the Brainstorming technique to promote group creativity?

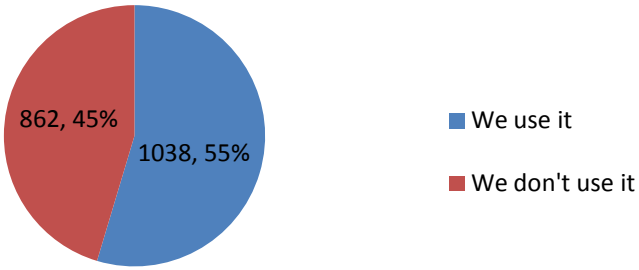
Fig.4. Use of Brainstorming technique.



At the above figure 4. it can be seen that majority or 59% (1127) of managers at Kosovo businesses declare that they use technique of Brainstorming to promote group creativity and generate new ideas that help on decision making process whereas 41% (773) of them declare that they don't do this. Results of this figure certify our fourth hypothesis.

Do you use the nominal group technique to promote group creativity?

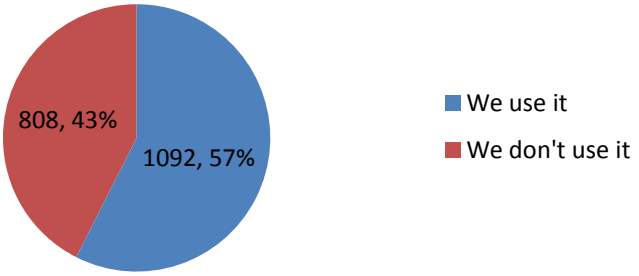
Fig.5. Use of nominal group technique .



At the above figure 5. it can be seen that majority or 55% (1038) of managers at Kosovo businesses declare that they use technique of nominal group to promote group creativity and generate new ideas that help on decision making process whereas 45% (862) of them declare that they don't do this. Results of this figure certify our fifth hypothesis.

Do you use the Delphi technique to promote group creativity?

Fig.6. Use of Delphi technique.

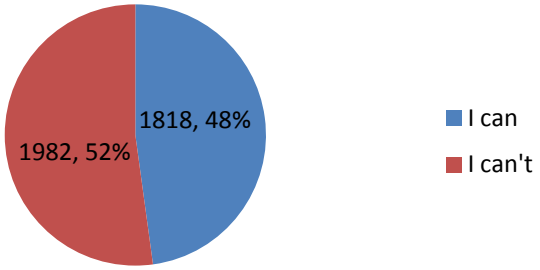


At the above figure 6. it can be seen that majority or 57% (1092) of managers at Kosovo businesses declare that they use the Delphi technique to promote group creativity and generate new ideas that

help on decision making process whereas 43% (808) of them declare that they don't do this. Results of this figure certify our sixth hypothesis.
At the following figures will be presented attitudes of employees about individual and group creativity promotion in practice at Kosovo businesses.

Can you have a free initiative in your work environment, to give creative ideas about problem solutions?

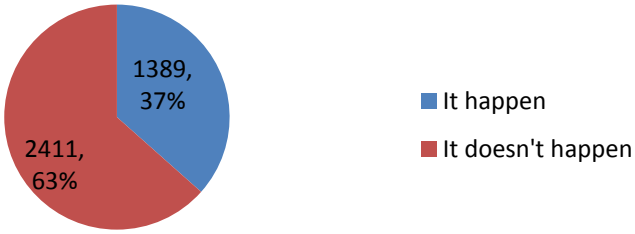
Fig.7. Practice of free initiative.



At the above figure 7. it can be seen that majority or 52% (1982) of employees at Kosovo businesses declare that during their work they don't have opportunity of having free initiative to generate new ideas whereas 48% (1818) of them declare that they can do it. Results of this figure certify our seventh hypothesis.

Does may happen to identify and reward the good ideas?

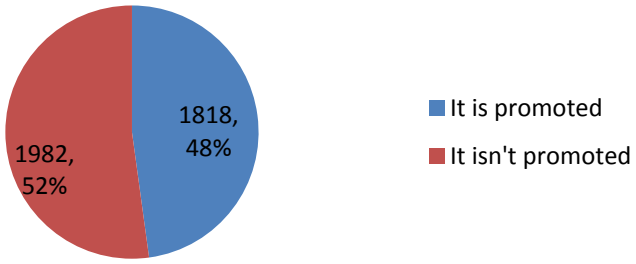
Fig.8. Practice of recognition and reward of employees.



At the above figure 8. it can be seen that majority or 63% (2411) of employees at Kosovo businesses declare that during their work does not happen to be recognized and rewarded the talented employees that give ideas whereas 37% (1389) of them declare that this happen during their work. Results of this figure certify our eighth hypothesis.

Is it promoted individual creativity at your work environment?

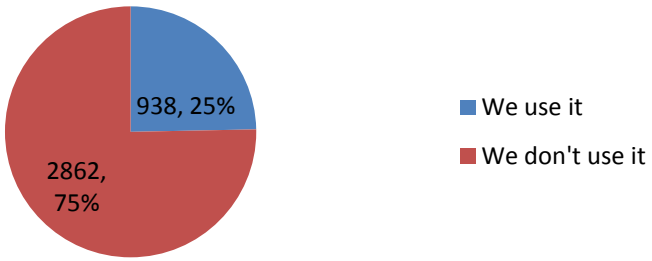
Fig.9. Practice of promoting individual creativity .



At the above figure 9. it can be seen that majority or 52% (1982) of employees at Kosovo businesses declare that during their work is not promoted individual creativity whereas 48% (1818) of them declare that it is promoted. Results of this figure certify our ninth hypothesis.

Do you meet in group in front of managers to give ideas face to face for solution of any problem?

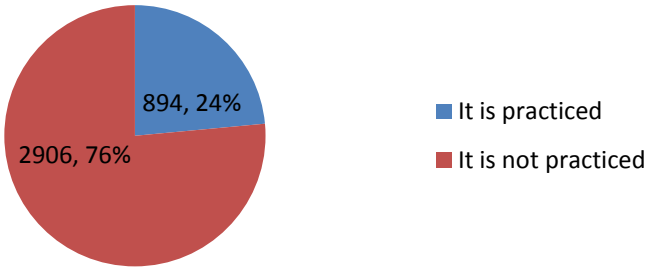
Fig.10. Practice use of Brainstorming technique.



At the above figure 10. it can be seen that majority or 75% (2862) of employees at Kosovo businesses declare that during their work is not used Brainstorming technique, whereas 25% (938) of them declare that they use this technique. Results of this figure do not match with attitudes of managers and these results certify our tenth hypothesis.

Does may happen that you write your ideas about solution of different problems and present them and then to be chosen as the best idea?

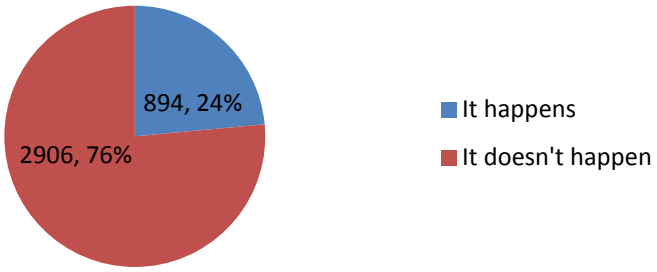
Fig.11. Practice of the nominal group technique.



At the above figure 11. it can be seen that majority or 76% (2906) of employees at Kosovo businesses declare that during their work is not used the nominal group technique for promotion of group creativity, whereas 24% (894) of them declare that they use this technique. Results of this figure do not match with attitudes of managers and these results certify our eleventh hypothesis.

Does may happen you to give creative ideas by writing for any problem solution?

Fig.11. Practice of Delphi tecnique.



At the above figure 12 it can be seen that majority or 76% (2889) of employees at Kosovo businesses declare that during their work is not used Delphi technique for promotion of group creativity, whereas 24% (911) of them declare that they use this technique. Results of this figure do not match with attitudes of managers and these results certify our twelfth hypothesis.

Conclusions and Recommendations

Conclusions

Majority of managers at Kosovo businesses declare that in their working environment, promote individual creativity to generate new ideas during the meeting with problems and process of decision making. They say that have created such a working environment where their employees freely can take and express initiatives and ideas that helps in process. Whereas they recognize and reward ideas of talented employees, because this encourages them to be more active and to give new useful ideas.

Majority of managers at Kosovo businesses declare that they promote group creativity by using technique of Brainstorming where they meet face to face with employees to generate ideas that help in making decisions. They also say that they use technique of nominal group where they describe problem and employees in independent way write the solutions than discuss and choose the best idea. Also Delphi technique that presents a written approach towards the creative solution of the problem, they say that they use to promote group creativity.

Majority of employees at Kosovo businesses declare that at the environment where they work is not promoted individual creativity to give new ideas that help in process of decision making they declare they cannot take free initiatives to give the ideas and does not happen to recognize and reward talented employees that give good ideas that help in process of decision making.

Majority of employees at Kosovo businesses declare that at their working environment is not promoted group creativity and does not happen to be used technique of "Brainstorming", where they meet face to face with managers to give ideas, or technique of nominal group where managers describe the problem, and they in independent way write the solutions than discuss and choose the best idea or even technique of Delphi that presents a written approach to the creative solution of the problem.

Recommendations

Majority of managers at Kosovo businesses are recommended to keep and develop these theoretical attitudes that stand for promotion of individual creativity because this is the best way to generate ideas and to make right decisions in time and in difficult situations during their work. And that their orientation has to be done in maximum practice implemented of this knowledge.

Majority of managers at Kosovo businesses are recommended to keep and develop these theoretical attitudes that stand for promotion of group creativity because this is the best way to generate ideas and to have in disposition more alternatives during their work that help to make right decisions in time and in difficult situations. And that implementation in practice of this knowledge it is more useful.

Majority of managers at Kosovo businesses are recommended to promote individual creativity because they will have in disposition more decision making alternatives and will be closer to right decisions, so their efforts should be orientated in that direction to create an environment where employees express freely their ideas and this make them to feel part of responsibility process. Also should recognize and reward talented employees because this motivates them and make them more active, so managers should apply their theoretical attitudes also in practice because they have no value if they are not implemented.

Majority of managers at Kosovo businesses are recommended to promote individual creativity because they will have in disposition more decision making alternatives and to do this by using possible techniques that are: Brainstorming, Nominal Group, and Delphi technique. Through these techniques will be find opportunities for employees to be more effective in providing ideas, by finding themselves in the best form that fits to them and alternatives of decision making definitely will be more creative.

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PHD. (C) YMER SHATRI, PHD. (C) SHQIPDONA HASHANI – THE AUDITOR'S RESPONSIBILITIES RELATING TO FRAUD IN AN AUDIT OF FINANCIAL STATEMENTS

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Abstract

The complexity of financial reporting, accounting management, the challenges of informational technology and the ability of businesses to camouflage accounting information, carry a great risk that illegal activities with an impact on financial statements will not be easily detected and prevented.
Most of the important decisions in the business world are based on Audited Financial Statements; it needs no further comments to prove that there is quite a lot of responsibility that auditors carry towards the public. The globalization of the economy, free movement of capital, goods and services, stock markets etc. highlight the importance of the role of auditors even more.
The recent major scandals that have affected the accounting profession usually have been as a result of fraud. Therefore, in order to maintain the trust in the profession it is important for auditors to understand their role in preventing and detecting fraud in the audited financial statements.
Although the auditor cannot be held responsible for preventing fraud and error, he may have a positive role in fraud and error detection and in restraining their occurrence
After fraud scandals in many major global companies, investor's concern on fraud in financial reporting has increased and is on the rise. In response to these concerns, IFAC International Federation of Accountants has issued the standard ISA 240 – International Accounting Standard. In this paper will start from the ISA 240 auditor's responsibilities in relation to fraud in an audit of financial statements. This standard recognizes that the misrepresentations in financial statements can arise as a consequence of fraud or errors. The distinguishing factor is whether the underlying action that results in the misstatement was intentional or unintentional.
Public and interested parties trust depends on our ability to predict the risk of fraud in the financial statements and to respond effectively in today's business challenges.

Keywords: International Standards on Auditing / ISA, International Standard on Quality Control/ ISQC, fraud, error, auditing, detection and prevention

Introduction

International Auditing Standards indicate that the financial auditor's main objective is to serve the interests of stakeholders in expressing an independent, objective and competent opinion about the accuracy of the information of financial statements. Also, according to auditing standards, the auditor has the responsibility to assess the risk of fraud and how it might affect his judgment.
Objective and general principles governing an audit of financial statements are to enable the auditor to give an opinion on whether the financial statements are prepared, in all material aspects, according to the legal and regulative framework appropriate to the financial report. Due to the inherent limitations of the audit, there is always an unavoidable risk that some material anomalies of the financial statements may not be detected, even if the audit is well planned and carried out in accordance with

ISAs. An auditor that conducts his audit in accordance with ISA73 takes reasonable assurance that the financial statements taken as a whole do not have misstatements due to fraud or error. An auditor may not obtain absolute assurance that the material anomalies in the financial statements will be detected because of a number of factors, such as the use of judgment, the use of testing, the inherent limitations of internal control and the fact that most of the available auditing evidence has a more convincing nature rather than conclusive.

It is not the role of an auditor to determine whether fraud has actually occurred. It is the responsibility of the legal system of a country. Auditors must be aware of the impact of fraud and error on the accuracy of the financial statements.

In determining the quality of financial reports, an almost decisive role, is played by the institutions that establish the regulatory frameworks for Financial and Auditing Reports as well as monitor the implementation of these standards. A major role is also played by certified and authorized institutions for creation and transfer of accounting and auditing knowledge, and the Association of Accountants in the role of continuing professional education enforcer.

However, quality control and the quality of financial reporting are not static categories. They imply a permanent improvement supported by the harmonization of ongoing education of accounting as a profession, standards of quality and quality management with the requirements by international professional accounting regulations in this field.

The recent famous financial scams have shown that in many cases the auditor was either responsible or an accomplice in the fraud.

Thus, the auditor plays an important role by providing a fair and accurate view regarding the financial position and performance of the company.

In today's global economy there is a tendency for maximizing shareholder profits in circumstances where managers control the activities of economic and financial reporting operations. In companies which are characterized by separation of ownership and management, and potential conflicts of interest between owners and managers. This raises the question, how does the management act in the best interest of the shareholders or owners?

For example, the company Enron, which was assisted by international auditing company "Arthur Anderson" in falsifying financial statements. It is clear that the inter-relationship between the company's management and auditors, fraudulent financial reporting and the non-disclosure of management misstatements by the auditors of "Arthur Anderson" damage in an incalculable way the image of the auditors as well as financial markets.

However, despite these efforts, academic research studies show that more efforts are still needed by audit regulators and external auditors.

The risk of fraud evolution in financial statements by: Jack Dorminey, A. Scott Fleming, Mary-Jo Kranacher, and Richard Riley, in their article "Beyond the Fraud Triangle" (The CPA Journal, New York State Society of Certified Public Accountants: July 2010), provide an insightful analysis of the evolution of the conceptual frameworks that auditors have used to assess fraud risk. Their analysis point out strengths and weaknesses in each, and suggests new dimensions to the traditional models that auditors will find useful, particularly in framing their thought processes about predatory, or career-criminal types, of fraud perpetrators74.

Classic Fraud Triangle

The "classic fraud triangle" forms the basis for AU-C section 240, Consideration of Fraud in a Financial Statement Audit. The triangle, which originated in the 1940s, seeks to model the thought processes of individual perpetrators.

Its elements are: Incentive or pressure; Opportunity; Rationalization and responsibility for preventing and uncovering fraud.

Literature Review

[73] ISA 200

[74] Jack Dorminey, A. Scott Fleming, Mary-Jo Kranacher, and Richard Riley, in their article "Beyond the Fraud Triangle" (*The CPA Journal*, New York State Society of Certified Public Accountants: July 2010), Page 1-2

In addition, a survey by KPMG Peat Marwick in 1994 indicated that independent auditors were the source of only 5% of frauds detected in various contexts.75
In 1993, both the AICPA Division for CPA firms SEC Practice Section and the AICPA Board of Directors recommended the appointment of a task force to review the auditor's responsibility to detect fraud. These recommendations supposedly were not a response to efforts by the Securities Exchange Commission under Section 10A(a) of the Exchange Act1 to establish procedures in accordance with Generally Accepted Auditing Standards regarding required audits of financial statements for companies required to be registered with the SEC.

In 1988, the Auditing Standards Board issued SAS No. 53, The Auditor's Responsibility to Detect and Report Errors and Irregularities. Since the issuance of SAS No. 53, the subject of fraud has continued to draw the interest of ever-growing constituencies. Independent auditors have been the target of litigation and criticism, at least some of which has resulted from misconceptions regarding the auditor's responsibilities with respect to fraud76.

Some users of audited financial statements place too much reliance on the auditor's findings, in part, due to misconceptions about the auditor's responsibilities. Three of the more common misconceptions are that the audit will:
(1) detect all material errors and irregularities in the financial statements,
(2) discover all illegal acts committed by the client, and
(3) ensure the financial health of the entity.

The auditor's responsibilities for these items were defined by SAS No. 5377.
Observations on auditors 'Implementation of PCAOB Standards relating to Auditors responsibilities with respect to fraud' states:

Even though each audit of financial statements implies a risk that the auditor will not detect a material misstatement even when the audit was conducted in accordance with PCAOB standards, the risk of non-disclosure is likely to be higher from fraud than errors, since fraud usually is intentional and concealment may include cooperation with third parties. Therefore, the auditor should assess the risks and apply procedures specifically directed towards detecting misleading material in financial statements78.

Marge O'Reilly-Allen, CPA, PhD, Chair, Accounting Department, Rider University, USA Paul E. Zikmund, CFE, CFD, Enterprise Risk Management/Fraud & Forensic Services Amper, Politzer, Mattia, LLC, Edison, NJ in research project; Whose Responsibility is it to Deter and Detect Fraud? The Role of Management, the Auditor and the Fraud Examiner:79

Management's Responsibility to Deter Fraud

In the U.S., senior management is required to implement internal controls to prevent, detect and deter fraudulent financial reporting, to assess and then report on the effectiveness of those internals control on an annual basis (Section 404, Sarbanes-Oxley Act). It is important to recognize, however, that no matter how strong a system of internal control within an organization, a dishonest management has the potential to override those controls. For this reason, the „tone at the top" or corporate culture is a critical factor for an auditor or fraud examiner to consider. An effective system of internal control is

[75] Peat Marwick, Fraud Survey Of KPMG, attached as Exhibits A and B; 1994.
[76] MICHAEL J. RAMOS, CONSIDERING FRAUD IN A FINANCIAL STATEMENT AUDIT: PRACTICAL GUIDANCE FOR APPLYING SAS NO. 82, at 4 (Anita M. Lyons ed., 1997). Page 2
[77] SAS No. 53, *The Auditor's Responsibility to Detect and Report Errors and Irregularities* (AU 316.02 and.03), defines the terms *errors* and *irregularities* as follows[77].
[78] Public Company Accounting Oversight Board; See paragraph.01 of AU § 316, *Consideration of Fraud in a Financial Statement Audit*. Page 3 -15
[79] Public Company Accounting Oversight Board; See paragraph.01 of AU § 316, *Consideration of Fraud in a Financial Statement Audit*. Page 3 -15

the first step towards fraud detection but there are other steps that management can take to deter fraud. Table 1 summarizes management's obligations to deter fraud. Table 2 provides best practice recommendations for an effective fraud detection program80.

Auditors Responsibility to Detect Fraud; Auditor's Role as an Investigator; Auditor versus Fraud Examiner

An auditor is required (Section 404 of Sarbanes-Oxley Act) to evaluate a client's antifraud programs and internal control over financial reporting and to issue an opinion on management's assessment of internal control. Auditors are also required (Statement of Auditing Standard No. 99) to plan the audit to provide reasonable assurance that financial statements are free of material fraud. Planning includes adopting an attitude of professional scepticism towards a client, conducting brainstorming sessions to assess the risk of material fraud and how it could be concealed, conducting an assessment of a client's overall antifraud programs and looking for red flags that may indicate fraud. The Public Company Accounting Oversight Board's Auditing Standard 5 (2007) reinforces this guidance81.

Problem Identification

Fraud and Error

ISA 240; Differentiates between fraud and error and describes two of the most relevant types of fraud to the auditors which are: anomalies that arise from abuse of activities and anomalies arising from fraudulent financial reporting; It describes the responsibilities of people charged with governance, responsibilities of the management in preventing and detecting fraud as well as determines the responsibilities of auditors to find material misstatement arising from fraud..
Financial misstatements may arise from fraud or error. The distinction between fraud and error is whether the action that leads to anomalies in the financial statements is intentional or unintentional82.
The term "error" refers to some of the unintended anomalies in the financial statements, including the lack of an amount or information available in financial statements.
The term "fraud" refers to an intentional action by one or more individuals possibly members of management, people are charged with governance, employees or third party members who use fraud to ensure an unfair or illegal benefit. Although fraud is a broad legal concept, for the purpose of this ISA, the auditor is concerned about the fraud that causes material financial misstatements
Auditors do not make the legal determination of whether the fraud has occurred or not. Fraud which includes one or more members of management or people charged with governance is called "management fraud", while fraud involving only employees is called "employee fraud". Both cases might have agreements and cooperation both within the entity as well as with third parties outside the entity. Two types of intentional misstatements are important to the auditor, anomalies resulting from fraudulent financial reporting and misstatements resulting from misuse of activities. Fraudulent financial reporting has to do with deliberate misstatements including the lack of amounts and information given in order to deceive the users of financial statement.
Fraudulent financial reporting can be caused by the efforts of management to manipulate earnings in order to deceive the users of financial statement by influencing their perception regarding the performance and the profitability of the entity. Risk of non-disclosure of material misstatement due to fraud is the greater than the risk of non-disclosure of material misstatement caused by error, since fraud can be accomplished through several sophisticated and carefully designed schemes with the purpose of concealment such as forgery, deliberate non-recorded transactions or intentional fraudulent disclosure to the auditor.

[80] Public Company Accounting Oversight Board; See paragraph.01 of AU § 316, *Consideration of Fraud in a Financial Statement Audit*. Page 3 -15
[81] The Journal of Global Business Management (JGBM) ISSN 1817-3179; Volume 5* Number 1* April 2009; page 1-2
[82] IFAC, Handbook of internacional auditing, assurance and etthics pronouncments -2006 edicion ISA 240, *The auditor's responsibilities relating to fraud in an audit of financial statements* page 313-317

Such concealments may be even more difficult to identify when they are conducted by more than one person. Cooperation between two or more people influences the auditor in considering the fake audit evidence as reliable. The ability of the auditor to identify fraud depends on factors such as the ability of the person who committed the fraud, the frequency and the extent of manipulation, the degree of cooperation between two or more persons, the relative quantity of individual amounts manipulated and the seniority of the employees that have committed fraud. While the auditor may be able to detect potential factors that enable fraud, it will be difficult to determine whether anomalies such as the accounting estimates, are caused by fraud or error. Moreover, the risk that the auditor may not identify material misstatements caused by management fraud is greater than in the cases of employee fraud, since management is often in such a position that has the ability to directly or indirectly manipulate accounting records and present fraudulent financial information83.
"To assess the risks of material misstatement due to fraud, the auditor uses professional judgment and:
(a) Identifies the risks of fraud by taking into account information obtained through performing risk assessment procedures, and also taking into account the classes of transactions, account balances and disclosures in the financial statements;
(b) Makes the link between the identified risks from fraud and their potential effect on the assertion level; and
(c) Considers the potential size of the material anomaly, considering also the possibility that the risk can cause other multiple anomalies and the risk that such a thing will happen. "
ISA 240 The auditor's responsibilities relating to fraud in an audit of financial statements recognise that the risk of fraud due to management override of internal controls is a significant risk. To that end, the auditor has to set aside all beliefs concerning management's honesty and integrity and apply professional scepticism when carrying out their audit. Because ISA 240 places management override of internal controls as a significant risk, the UK and Ireland ISA requires auditors to carry out the tests outlined in paragraph 32. This paragraph says that the auditor shall design and perform audit procedures to84:

"Test the appropriateness of journal entries recorded in the general ledger and other adjustments made in the preparation of the financial statements. In designing and performing audit procedures for such tests, the auditor shall:

→ Make inquiries of individuals involved in the financial reporting process about inappropriate or unusual activity relating to the processing of journal entries and other adjustments
→ Select journal entries and other adjustments made at the end of a reporting period
→ Consider the need to test journal entries and other adjustments throughout the period Review accounting estimates for biases and evaluate whether the circumstances producing the bias, if any, represent a risk of material misstatement due to fraud. In performing this review, the auditor shall.
→ Evaluate whether the judgments and decisions made by management in making the accounting estimates included in the financial statements, even if they are individually reasonable, indicate a possible bias on the part of the entity's management that may represent a risk of material misstatement due to fraud. If so, the auditor shall re-evaluate the accounting estimates taken as a whole.
→ Perform a retrospective review of management judgments and assumptions related to significant accounting estimates reflected in the financial statements of the prior year."

Audit firms must, therefore, ensure that they can demonstrate compliance with paragraph 32 as regulators will be on the lookout to ensure that the above procedures have been complied with.
Also it is worth pointing out that in the team discussion, paragraph 15 to ISA 240 requires the team to place emphasis on how and where the entity's financial statements may be susceptible to material misstatement due to fraud, including how fraud might occur. Discussions such as those relating to

[83] IFAK, Handbook of internacional auditing, assurance and etthics pronouncments -2006 edicion ISA 240, *The auditor's responsibilities relating to fraud in an audit of financial statements* page 320-321
[84] ISA 240 *The auditor's responsibilities relating to fraud in an audit of financial statements*

how management may override internal controls to perpetrate a fraud and how employees might manipulate weaknesses in internal controls to commit fraud.

Linked with ISA 240 is the requirement in ISA (UK and Ireland) 550 Related parties at paragraph 12 for the audit team to specifically consider the susceptibility of the financial statements to material misstatement due to fraud or error that could result from the entity's related party relationships and transactions. Some file reviewers have criticised files that have not considered the susceptibility of the financial statements to material misstatement due to related party relationships/transactions.

Objectives

Material misstatements due to fraudulent financial reporting often result due to revenue growth (e.g. early income accounting, registration of fictions revenues) or revenue reduction (e.g. improper deferral of income in a latter period85.

Moving Forward: Fraud Detection Expectation Gap and Current Developments

In November 2006 report, Global Capital Markets & the Global Economy, CEOs of the six largest audit firms (BDO International, Deloitte, Ernst and Young, Grant Thornton, KPMG, and PricewaterhouseCoopers) stated "there is a significant expectation gap between what various stakeholders believe auditors do or should do in detecting fraud and what auditors are capable of doing at prices companies or investors are willing to pay." The CEO‟s point out that fraud detection methods recommended under SAS 99 are not foolproof and that auditors are often restricted in their methods to detect red flags for fraud. As an example, the CEOs cite the limitation of using indirect means such as reviews of anomalies and interviews not conducted under oath to ascertain if the possibility of fraud exists during the audit.
The audits of the financial statements of an entity are designed to increase the convenience of investors that the statements are in accordance with the standards expected of financial reporting and give a true and fair view of the financial position of that entity.

The first aim of this paper is to enhance audit quality through compliance of auditor with ISA and ISQC and other security, ethical and professional standards.
Why is this impact important?
Auditing standards, security and other applicable professional and ethical standards are to create conditions and provide guidance on the responsibilities of auditors. They also define the fundamental principles of ethical and professional behaviour such as integrity, independence, professional competence, appropriate care. Compliance with these standards is a basic requirement to ensure audit quality.
What we intend to achieve by fully complying with ISA and ISQC is to create an independent system of supervision in order to:
- Promote quality, expertise and integrity in the professional status of auditors
- Encourage recognition of the professional status of Kosovo auditors in overseas jurisdictions.
- Monitor and act against misconduct
- Monitor new possible risks.

The auditor is knowledgeable with the economic reasons behind significant transactions that are outside the normal course of business for the entity, or that otherwise would appear to be unusual in the context of the auditor's knowledge of the entity and its environment and any other information obtained during the audit. The aim of this recognition is to consider whether the economic reasons (or their lack) suggest that transactions in financial reporting were conducted with the intention of fraud or to hide the misuse of activities. In obtaining such knowledge the auditor considers the following:

[85] IFAK, Handbook of internacional auditing, assurance and etthics pronouncments -2006 edicion ISA 240, The auditor's responsibilities relating to fraud in an audit of financial statements page 335

- If the form of such transactions is quite complex (e.g. transaction involves many entities within a consolidated group or a lot of unrelated third parties).
- If the management has discussed the nature of and accounting for such transactions with the persons in charge of the governance for the entity and if there are appropriate supporting documentation.
- Whether the management puts more emphasis on a particular account treatment rather than the economic content of the transaction.
- If the transactions with unconsolidated parties, including the entities created for a particular purpose, are reviewed and approved by those charged with governance.
- If the transactions are dealing with related parties unidentified previously or with parties that do not have the financial strength to cope with these transactions without assistance from the entity that is being audited as required by ISA 330

Obligations to prevent fraud

The main responsibility for preventing and detecting fraud lies to the persons charged with governance as well as to the direction of the entity. It is the responsibility of persons who are charged with governance of the entity, to guarantee through supervision of the management, that the entity designs and implements internal controls to obtain reasonable assurance as to the reliability of financial reporting, effectiveness and efficiency of operations and compliance with laws and regulations.
ISA require that the auditor plan and perform an audit through obtaining reasonable assurance about the extent of the presence of financial material misstatements, and if this material misstatement, is caused by error or criminal acts. On the other hand, the public expects that the auditor will disclose this criminal activity during the auditing of financial statements.
In this regard, public expectations are very unrealistic, which further contributes to the deepening of the gap between expectations and what is realistically possible.
After major financial scandals that resulted in bankruptcy for some of the very large US companies (e.g. Enron) in 2002 the Law Sarbanes-Oxley (SOX Act) was adopted also the statement on auditing standards (SAS No.99) was implemented, the latter refers to "review of criminal activities in the audit of financial statements". This law directly deals with the responsibilities of financial audits in detecting criminal activity.

The role of internal audit in preventing and detecting criminal activity in Financial Statements

Internal Audit is an independent, objective and consulting activity designed to provide additional value and improve the organization's activity. Internal audit is defined as independent and objective business processes particularly financial processes, accounting aspects and internal activity as an advisor in order to improve business activity. Internal audit activities should include an assessment of the control and management systems, whose main goal is continuous improvement and reliability of financial reporting activities.
In this regard, the primary responsibility in the creating and functionalizing the internal control systems of the company falls upon the management. The responsibility of internal audit towards control systems is to assist the management of the company in establishing, testing and evaluating an adequate, appropriate and effective internal control.
The IAASB staff issued a Q&A document, Applying ISAs Proportionately with the Size and Complexity of an Entity,86 in August 2009 to assist auditors in applying the clarified ISAs in a cost-effective manner.
It is surprising how many small and medium-sized practices (SMPs) have yet to take the time required to study the ISAs. Incomplete knowledge can be self-defeating as it creates uncertainty about what is really required by the ISAs. The result is wasted time deliberating over what has to be done and

[86] http://web.ifac.org/publications/international-auditing-and-assurance-standards-board/practice-alerts-and-q-as#applying-isas-proportionate

performing unnecessary work, just in case it may be needed. In particular, lack of knowledge about requirements may lead to:
⇨The entire risk assessment phase of the audit becoming an "add on" to the other substantive audit work performed, instead of being used to focus audit effort on areas where there is a greater risk of misstatement in the financial statements.
⇨Turning what should be a simple audit into a complex and time consuming project. This can arise if efforts are focused on completing needless standard audit forms and checklists rather than using professional judgment to scale the work according to the size and complexity of the entity being audited and the risks involved.

Conclusions and Recommendations

If the auditor identifies that the management is under pressure to achieve the anticipated profit, there is a risk that management might increase sales through signing sales agreements, the terms of which exclude the recognition of revenues, or through billing sales invoices before sending the goods. In such circumstances, the auditor e.g., can schedule external confirmations not only to confirm outstanding amounts, but also to confirm the details of the sales agreements, including date, any rights of return and delivery conditions. Moreover, it might be effective to the auditor to strengthen external confirmations through questioning non-financial personnel in the entity regarding any changes in sales agreements or terms.

The auditor uses professional judgment in determining the nature, timing and extent of testing of entries in the journal and other systems. Because fraudulent financial statements and other disposition are often made at the end of the exercise report, the auditor usually selects the journal entries and other disposition at that time. However, since in financial material misstatements due to fraud can occur throughout any period of time and numerous attempts to hide traces of fraud are required, the auditor considers whether it is necessary to test journal entries and other disposition during exercise.

The auditor performs a retrospective review of the judgments and estimates regarding significant accounting estimates reflected in the financial statements of the previous year. The objective of this review is to see whether there is any potential distortion made by the management and is not intended to distract the auditor's professional judgments made in the previous year, based on the information available at that time.

If the auditor identifies a potential distortion made by the management in accounting estimates, the auditor evaluates whether the circumstances that produce this distortion represent a risk of material misstatement due to fraud. The auditor considers whether, in producing the accounting estimates, the tendency of the management has been overestimation or underestimation of all provisions or reserves in order to either extend gains in two or more exercises or to achieve a target level of profit, all this in order to deceive users of financial statement by influencing their perceptions about the entity's performance and profitability.

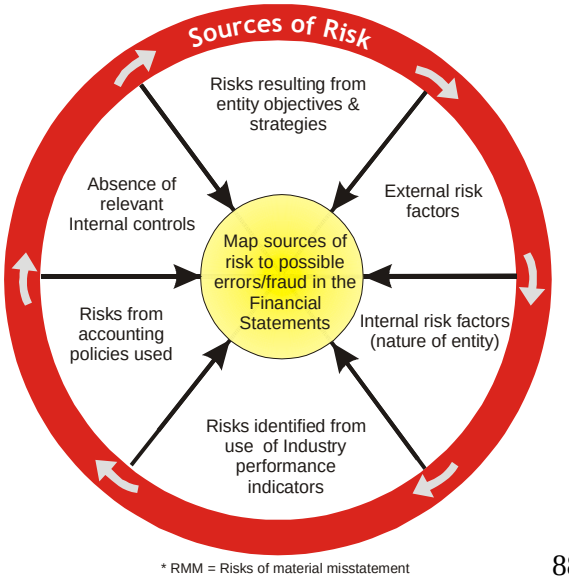
The current situation can be improved through several strategies most likely to succeed are:

- Educate users about the current role and tasks of the auditors, through better communication by the auditors; and
- By expanding the auditing scope with procedures necessary to meet market expectations.
- Gaining a sound knowledge of what is required can be empowering. It equips partners and key staff to lead the way, to use their professional judgment wisely, and to make informed, confident decisions on matters such as:87
→ Changes needed in engagement workflow and the firm's system of quality control, including:
Partner involvement in planning.

[87] *Stuart Hartley*, TIPS FOR COST-EFFECTIVE ISA APPLICATION *FCA. February 2010, page 2-7*

Customizing audit forms and checklists to be scalable for different sizes and complexity of audit clients, particular industries, and particular engagement risks.
Ongoing staff communication and file reviews.
Engagement productivity.
→ Identifying the areas where staff training is required.
→ Determining what to include (and what not to include) in audit scope, risk assessment, and designing responsive audit procedures.
→ How to address the risk of fraud.

Efficient allocation of staff and other resources.
- An understanding of the ISA requirements is also important for:
↗ Building the underpinning required to implement future changes to the ISAs.
↗ Refining the firm's audit approaches to deal with issues arising from implementing the standards on particular engagements. Audits of many small entities may be straightforward, but some can also pose challenges (such as less sophisticated accounting expertise and less formalized internal control) that do not exist in larger entities.
Rather, start by identifying the sources of risk and then, as the second step, linking those sources to possible effects in the financial statements. For example, a source of risk could be a declining demand for the entity's products.
ISA 315 is entitled Identifying and Assessing the Risks of Material Misstatement through Understanding the Entity and its Environment. Therefore, risk identification should come from our understanding of the entity as a whole, not just from reading the financial statements.
One way of thinking about this is to consider the sources of risk, obtained from understanding the entity and its environment, such as those in the chart below.



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Planning

"He who fails to plan, plans to fail" Anonymous

Effective planning requires two key ingredients:89
☞ Uninstructed time of the engagement partner and key staff. This does not necessarily mean dedicated team meetings held in the office. On very small engagements, planning can be achieved through brief discussions at the start of the engagement and as the audit progresses.
☞ Willingness to make key decisions based on appropriate professional judgment.

[88] *Stuart Hartley*, TIPS FOR COST-EFFECTIVE ISA APPLICATION *FCA. February 2010, page 2-7*
[89] *Stuart Hartley*, TIPS FOR COST-EFFECTIVE ISA APPLICATION *FCA. February 2010, page 2-7*

Other planning tips include:
❑-Ensure that fraud risk is properly addressed. Because fraud is deliberate, detecting it may require some element of unpredictability, such as performing certain audit procedures on a surprise basis. Encourage staff to be skeptical and inquisitive and empower them to raise issues, observations, or unexplained matters. Fraud may be discovered through piecing together a number of small matters that by themselves would seem insignificant.
❑-Consider assigning similar or related file sections to the same staff member. This will ensure work performed in one area is not repeated again in another.

In summary, fraud detection and deterrence if the responsibility of management and the auditor. All stakeholders in an organization should be involved in an anti-fraud program. Auditors need to adopt an attitude of professional skepticism and identify potential red flags at the beginning of an audit. Once a red flag is discovered, auditors need to become an investigator and dig deeply. If even a small fraud is uncovered, it is time to call a fraud examiner.90

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PROF. ASS. PHD VALENTINA SINAJ – ANALYSIS OF THE RESPONSE RATE LOANS IN ALBANIA BY CHANGES IN INTEREST RATES.

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Abstract

The success of monetary policy in stabilizing prices or inflation targeting depends to a large extent by the stickiness of market interest rates in response to changes in monetary policy. Thus the rate of transmission of interest rate depends greatly on the conditions prevailing in the credit markets and deposits; and consequently, the monetary authorities should consider these conditions and the behavior of banks in determining their policies. To analyze conveying the rate changes at the rate of loan interpret the case of Albania is used co-integration analysis and VEC model with data for the years 1995-2014 with monthly frequency. The series of interest rate outcomes contribute changes in the credit and this appears clear reflection after 6 months. The series of norms are non-stationary series, related to the short and co-integration between them.

Keywords: VEC, response, short time, co-integration

Introduction

Since the passage of the Albanian economy from a centralize economy to a market, then in 1990 began and privatization of existing banks and the establishment of new banks or commercial universal. Banks, being profit organizations aim to rise as much as intermediation margin by increasing loan rates and reduce deposit rates. Loan rate for banks represents the price or income of its financial products, loans and deposit interest rate represents the cost for banks. The dilemma that promotes this paper is to determine whether it is cost what causes the price or the other, so if the deposit rate is what causes interest rates or the opposite. In a competitive market price, loan rate is determined by the market and based on the banks set deposit rates. While in a less competitive market banks may affect loan rates by placing them based on deposit rates plus profits that are intended to achieve. Although both cases economic sense, reality has shown different results in different countries.

An overview of deposit rates and lending in Albania.

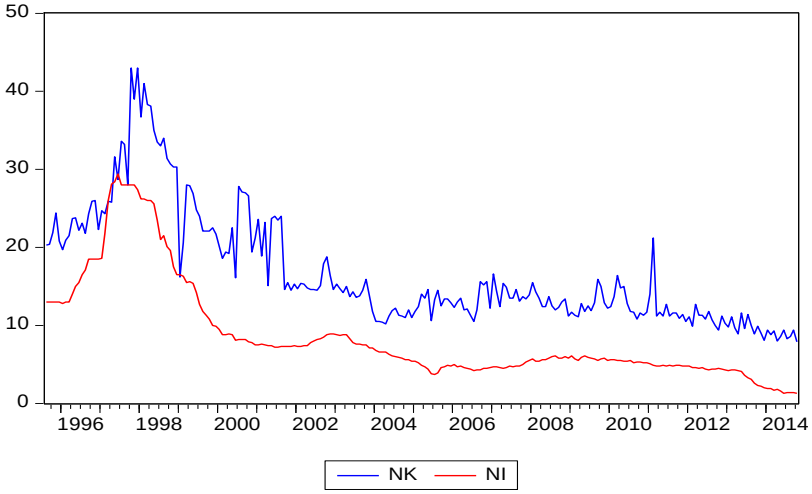
Interest rate performance of the banking system is a very important indicator for the economy of any country. Their fluctuations in time can be an indicator of the current state of the economy, but also a reference basis for predictions of their levels. But what future periods represent the rates on loans and deposits?

Deposit rate (12 months) to 1995 show floor level set by the Bank of Albania interest rate for deposits with maturity of twelve ALL. After that time shows the weighted average rate on new deposits with maturity in twelve months. So, the deposit rate is an indication of the average rate of deposits placed in commercial banks for different periods.

Credit rate (12 months) prior to 1995 has been guiding the Bank of Albania, after that time shows the weighted average for new loans with maturity of analogy (12 months).So that credit rate is an indication of the average rate loans data from commercial banks for different periods.It is enough to say that the difference between these two rates represents gross profit of commercial banks to understand their importance.
To have a clearer overview of the progress of these two indicators in recent years in Albania will be taken In considerate the results from a study of the Open Data Albania on the progress of these rates

based on latest data from the Bank of Albania for the last ten years. The graph below will familiarize us with this performance.

Figure 1: Rates of Deposit and loan last decade in Albania.



Source: Bank of Albania

From a look at the graph we see that there have been ongoing changes in performance of the two indices interest rate consequently gross profit of commercial banks from ordinary activities presented by the difference between these two rates reflects this destabilization. For example, in 2011 the gross profit was 11% as a result of a level 17% annual average growth rate of the loan rate and 6% of the deposits. The difference has changed a lot during this period of last ten years marking the minimum level in 2009 to 6% and max level in 2004 with 17%.

The performance of this indicator is very important for the system of commercial banks and through them to the entire economy of a country depends on the conditions of competition and the conditions in which the economy system is actually. In terms of economic uncertainty this difference tends grow and in terms of a secure economy that sits difference here featuring general attitude to risk opposing compensation with higher returns on a higher level of exposure to assume.

Literature review

Commercial banks set loan rates based on deposit rates and adding a premium on deposit rate (Thompson 2006). If premium or margin of mediation perceived as too high or too low, market forces will force banks to regulate rates until reaching the adaptation balance. The manner interests of the banks based on three theoretical explanations: hypothesis concentration of banks, the hypothesis of consumer characteristics and consumer reaction hypothesis.

Banks concentrations hypothesis states that banks, in more concentrated markets regulate slowly increasing deposit rates and are quicker to regulate them in going down. They opposite behaviors regarding loan rates (Neumarkt and Sharpe 1992; Hannan and Berger, 1991).The Hypotheses consumer characteristics claims that the greater the rapport between customers simple and unsophisticated about sophisticated consumers as great the research costs and transaction more great is the ability of banks to adjust interest rates to their advantage (Hutchison, 1995; Rosen, 2002). The Hypotheses consumer response explains that the presence of information asymmetry can create the problem of choosing evil in giving credit for the increase in interest rates tends to attract borrowers with higher risk. (Stiglitz and Weiss, 1981)Causal relationship between interest rates on deposits and loans is estimated by various scholars who have come to conclusions based on the data that matter. "Relationship between rates of deposits and loans in the countries of Eastern Europe" conducted by international business department at the University of "Tamkan" in Taiwan and finance department of the University of "Xiamen" in China. Reference to the fact that the study includes countries Eastern

Europe can say that the finding and conclusions of this study may well also serve as a guide for Albania. This study was the focus of the show a possible link between rates of deposits nonlinear and loans in 8 countries in Eastern Europe based on a non-parametric test proposed by Breitung (2001).The study found solid evidence for an effect asymmetric price transmission as in short- as well as long-term ones, between deposit rates and those of the study showed. Results really in the long run between rates on deposits and loans in the countries of Eastern Europe had a nonlinear relationship. To reach such conclusions were based researchers in relations that exist between the various factors affecting the economy and especially in interest rates which relate mostly on Central Bank interventions.

However, lending and loan receipt are the main areas of business for banks, and also one of the sources of their most important stability revenue. When the central bank adjusts interest rates, banks are unlikely to not the same while their rates of deposits and loans.
Dueker (2000) argues that banks are unlikely to want to be the first to reduce their lending rates during critical periods of the economy, because of the high risk. So, such contradictory behavior and exposure of banks could result lending rates adjusted asymmetrically to movements versus market rates.
Most previous studies assumed that the relationship between economic variables including the relationship deposit rate - rate loan, were linear and symmetrical, but in recent years a growing number of studies always evidence to the contrary that relations between variables are nonlinear and asymmetric (Enders and Dibooglu, 2001; Reitz and Taylor, 2008). Even in many cases, economic theory suggests that there are fundamentally non-linear relationships, for example, "purchasing power parity" (PPP) or Phillips curve. Referring to the above studies, we can say that to test the relationship - rate deposit rate loan researchers have suggested the most use of parametric tests waste.
While current studies in contrast to the above suggest nonlinear relation between rates of deposits and loans in Eastern European countries measured by non-parametric tests developed by Breitung (2001), which are usable for any kind of variable that is the evaluation.
In the case of Montenegro, the study of this relationship has resulted in the loan-deposit rate causes (Ivana Stešević, 2008).This unilateral causal relationship between lending rates and deposit rates is certified by Granger test which has resulted in an observed from 33,024 fisher therefore a causal relationship is strong.
Other studies in different countries do not necessarily have reached the same conclusions. A research conducted by Johannes Jaenicke, University of Osnabrück, Germany, on interest rates has resulted in evidence on different depending on different times, before and after the crisis Monetary System Europe. In the first period, until 1993, when rates were growing interest loan rates cause deposit rates as a result of a positive correlation between interest rate and credit risk. While in the second period deposit rates are those that cause loan rates.
Completely different conclusions results from the analysis of the causal relationships in Namibia. Using monthly data from 1992 to 2012 and Techniques of analysis of time series rejects the hypothesis of a linear and symmetrical relationship between normate interests in the long term. The study showed no relationship between term deposit rates and lending rates in Namibia.

Empirical Analysis

Modeling of interest rates in this paper is based on monthly interest rates of deposits and loans from 1995 until 2014, in total of 231 observations. Sinai. V (2015) has shown that the series obtained in this study are non-stationary at the first order of (1) and between the series there is a causal unilateral link. The change in deposits of interest rates, in short-term, effects the change of loans rates. The results of the tests unitary roots for the interest rate series (NI) loan rate (NK) are presented in Tables 1.1 & 1.2, while the results of the Granger causality test is in the Table 1.3 in the appendix.

Co-integration of series loan and deposit rates

Co-integration of series is a generalization of unitary root test vector systems. If two series are non-stationary and their linear combination is stationary then say that the series are Co-integrated. VAR

models are used when there is short-term causal intercourse between variables, and cannot be used when the series are co-integrated. Co-integration of series means that the variables have a link between them in the long-term, so we have a causal relationship in long-term. To test co-integration series is used Johansen test. To realize the test are used series level, not the non-stationary.

Table 1 Result of Johansen test

Unrestricted Co-integration Rank Test (Trace)				
Hypothesized No. of CE(s)	Eigenvalue	Trace Statistic	0.05 Critical Value	Prob.**
None *	0.067196	17.19553	15.49471	0.0275
At most 1	0.006505	1.474941	3.841466	0.2246

Author's calculations

The hypotheses for this test are:
H0: r=0, (There is no vector in co-integration). No co-integration.
Ha:r>=0, (There are at least a couple in co-integration)

Viewing values resulting from Johansen test λtrace> Critical Value and p=0.027<0.05, basic hypothesis falls down, it shows that there are at least a couple in co-integration. Even for the value 1 of the test we have the same result, so no more than a couple in co-integrations. Given the test results we can say that the two variables are co-integrated and it have some relationship between them in the long-term. As a result we could not use VAR models for modeling interest rate but should be used VEC models. VEC model is estimated in the following table.

Vector Error Correction Estimates Standard errors in ( ) & t-statistics in [ ]		
Co-integrating Eq:	CointEq1	
NI(-1)	1.000000	
NK(-1)	-0.950904 (0.07132) [-13.3337]	
C	7.316650	
Error Correction:	D(NI)	D(NK)
CointEq1	0.015078 (0.01256) [1.20043]	0.299196 (0.06114) [4.89363]
D(NI(-1))	0.485354 (0.06888) [7.04650]	-0.339530 (0.33528) [-1.01266]
D(NI(-2))	0.023550 (0.06984) [0.33718]	0.565284 (0.33998) [1.66268]
D(NK(-1))	0.022931 (0.01454) [1.57707]	-0.293488 (0.07078) [-4.14654]
D(NK(-2))	0.012259	-0.044402

	(0.01324)	(0.06447)
	[0.92565]	[-0.68875]
C	-0.023689	-0.066356
	(0.03228)	(0.15711)
	[-0.73394]	[-0.42234]
R-squared	0.702406	0.637220

Table 2. The estimated VAR model.

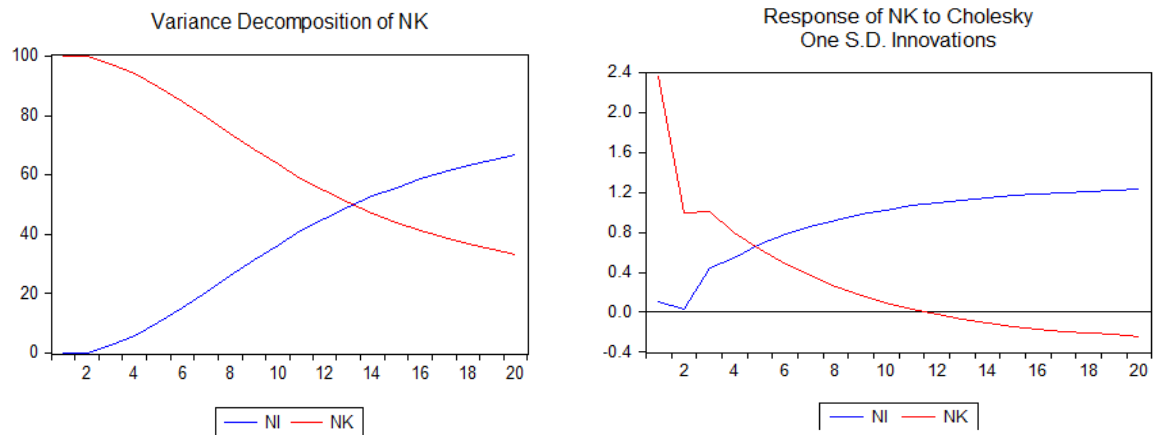
VEC models are limited VAR models. VEC specification limit long-term behavior of endogenous variables to converge to the equilibrium long-term relationships and allow them short-term dynamics. Since the data are first difference stationary VEC model is build on the series level. Since the series are co-integrated, the Granger causal relationship should be in one direction and patterns that express the relationship between variables should be VEC. VEC models allow assessment of the causal relationship in the long term and short term.

In the long-term:
The first part of the table represents a long-term relationship between interest rates. Co-integration long-term equation can be written as: NI(-1)- 7.3-0.95NK(-1)=0 or: NI(-1)=7.3+0.95NK(-1)
Co-integration coefficient is -0.95 with standard deviation of 0:07. Co-integration coefficient less than 1 shows that in the long-term causing loan rates and deposit rates is not complete but is significant. Co-integration coefficient of less than 1 shows that in the long run causing loan rates from deposit rates is not completed but is significant. In the model t-stat is -13,33, less than the critical value, which means that it is statistically important. Having only one dependent variable this means that long-term model also is statistically significant.

In the short-term:
After being acclaimed long-term VEC model, in the short term will continue with Granger causality test for VEC model. From $\chi 2$ test used to determine the causal relationship in the short term resulted hypothesis that loan rate cause falls of the deposit rate while the hypothesis that the deposit rate cause loan rate stands.
From this resulted that the direction of causality is relationship causes deposit rate loan rate. The results presented in Table 1.5 in the appendix
The speed of adjustment is 0:29, which means that a change in the balance corrected approximately 3 and half years. The equation for the rate of the loan will be:

D (CN) = 0:29 * (NI (-1) - 0.95 * NK (-1) + 7,316) - 0,339 * D (NI (-1)) + 0,565 * D (NI (-2)) - 0293 * D (CN (-1)) - 0.044 * D (NK (-2)) – 0066.

Loan rate depends on the deposit rate by us with two delays of time. The unstable by corrected within the year around 86% and 13% the following year.
R2 is around 63% which means that the model explains 63% of annual changes in interest rates.
Also it to test the importance of Statistical see fisher model, the value of each VEC model is greater than the critical Fisher, which means that the models are statistically significant.



Graph 2 Variance decomposition and impulse response

The first graph, which shows the rate variance decomposition of credit from deposit interest rates and from itself. The impact of the deposit rate loan rate increases over the months and this is more evident after at least 6 months for a reflection of the extent 60%. The second graph appears response impulses which make it clear that moment of shock for the impact of deposit interest rates to loan rates achieved after six months.

Testing of the validity of the model

☑ Heteroscedasticity

Heteroscedasticity is a model waste problem where residues have different variance. Model tested for Heteroscedasticity it affects the accuracy of the estimates obtained from the use of MZKV. VEC model is tested whether or not Heteroscedasticity through the test, which builds the model of waste boxes depending on the explanatory variables, their squares and products Twin independent variables. The hypothesis in this case are: Ho: model suffers from Heteroscedasticity according to White.

Individual components:		
Dependent	R-squared	F(20,207)
res1*res1	0.226272	2.912286
res2*res2	0.214881	2.832722
res2*res1	0.106452	1.573265

Referring to the three combinations waste VEC equations have:
Waste combination model 1:1 Fisher statistical value is FV = 2.91 < Fk to basic hypothesis lies.
The combination of model residues 2: 2 Fisher statistical value. FV = 2.83 < Fk to basic hypothesis lies.
The combination of model 2: 1 FV = 1:57 < Fk model suffers from Heteroscedasticity by combining waste to model 1 and 2.
White conclusion from the test results that waste combinations not suffer from Heteroscedasticity model. Even under the common test for all model results that $\chi 2 = 19{:}56$, which means that the model does not suffer from Heteroscedasticity according to White.
Referring to the three combinations waste VEC equations have:
Waste combination model: 1: 1 Fisher statistical value is FV = 2.91 < Fk to basic hypothesis lies.
The combination of model residues 2: 2 Fisher statistical value. FV = 2.83 < Fk i.e. basic hypothesis lies.
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White conclusion from the test results that waste combinations not suffer from Heteroscedasticity model. Even under the common test for all model results that $\chi 2 = 19{:}56$, which means that the model does not suffer from Heteroscedasticity according to White.

☑ Autocorrelation.

Autocorrelation of the model is the correlation between the terms of a series ranked time. The serial correlation is the remains of a related model remains of another model, displaced with some step or delay. If the model results with the number of serial correlation used in the model is not the right one. In the case of VEC model, the correlation detection test series used Lagrange (LM), for various lag 1 to Lag 5. The hypotheses for this test are: The model does not suffer from serial correlation.

Included observations: 228		
Lags	LM-Stat	Prob
1	9.908380	0.0520
2	19.13522	0.0744
3	12.58140	0.0657
4	5.055864	0.2816
5	16.34162	0.0826

As we see from all LM statistic values and corresponding values of probability, p> 0:05, the hypotheses base stands and VEC model does not suffer from serial correlation.
Testing whether the residues have normal distribution would appreciate and if VEC model or not normal distribution. For this reason testing is done using statistics Skewness, kurtosis and Jarque-Berra.Hipotezat in each case are:

Ho: The remains have normal distribution
Seeing all tests (Appendix), we see that the value of Skewness is near 0, kurtosis is approximately 3 and JB value is less than the critical value. The same conclusion we even seeing the values of p, all p> 0:05, it brings to Ho ↑ therefore remains have normal distribution.

Conclusions

The success of monetary policy in stabilizing prices or inflation targeting depends to a large extent by the stickiness of market interest rates in response to monetary policy moves. Banks and other credit institutions are key players in the transmission of monetary policy in economies in developing countries like Albania. We work analyzed the behavior of the rate of the loan depending on changes in interest rates. Empirical analysis showed that the series are no-stationary the first order, and among them the unilateral causal connection exists which reflects the rate relationship between loan interest rate in the short term. VEC model show that these series works between them and must be at least three years to get back in balance rate loan. As a reflection of changes in the rate was shock after six months at the rate of the loan. Analysis of responses to the interest rates of deposits and loans for shifts in policy rates are the most important channels of monetary transmission. Immobility market rates are often considered as a wedge to effective transmission of monetary policy impulses.

Appendix

Table 1. Result of Unit root test for Interest Rates Author's calculations

		Level		1st difference	
		t-Statistic	Prob.*	t-Statistic	Prob.*
Augmented Dickey-Fuller test statistic		-1.039584	0.7392	-8.233745	0
Test critical values	1% level	-3.458845		-3.458845	

	Level		1st difference	
	t-Statistic	Prob.*	t-Statistic	Prob.*
Augmented Dickey-Fuller test statistic	-1.74266	0.4084	-22.75558	0

Table 2. Result of Unit root test for Loan Rates Author's calculations

Lag	2		3		4	
Null Hypothesis	F-Statistic	Prob.	F-Statistic	Prob.	F-Statistic	Prob.
NI does not Granger CauseNK	17.6916	7.00E-08	12.1017	2.00E-07	10.3068	1.00E-07
NK does not Granger Cause NI	1.31464	0.2706	1.03644	0.3773	1.8388	0.1224

Table 3. Result of Granger causality test Author's calculations

VEC Residual Normality Tests Orthogonalization: Cholesky (Lutkepohl) Null Hypothesis: residuals are multivariate normal				
Component	Skewness	Kurtosis	Jarque-Bera	Prob.
1	-0.064983	3.040044	0.013871	0.9931
2	0.043640	2.098475	0.615274	0.7352

Table 4. The distribution of residual

VEC Granger Causality/Block Exogeneity Wald Tests Dependent variable: D(NI)			
Excluded	Chi-sq	df	Prob.
D(NK)	2.533392	2	0.2818
All	2.533392	2	0.2818
Dependent variable: D(NK)			
Excluded	Chi-sq	df	Prob.
D(NI)	2.881309	2	0.2368
All	2.881309	2	0.2368

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PROF. ASS. DR. NERIMANE BAJRAKTARI – INVESTMENT ASPECTS OF REGIONAL DEVELOPMENT

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Abstract

Questions related to optimal relation between the development by sectors and the regional one, as well as to coordination between the sector policy and regional one in national level, remain actual and central.

K**ey words: regional development, expansion, contraction, conversion, integration**

The core problem of regional development is very complex, especially the methodological procedure and the relevant technical instrument for the extraction and measurement of relevant assessments of the quality and quantity of their development. All this gets more complicated when we have to deal with the development of their economic subjects (enterprises) having in mind the different kinds of regions.
It would be wrong to think that the existence, functioning and development of regions and their sub-regions can be done solely by themselves. On the contrary, various factors, be them internal and external, objective and subjective, in various time periods, in different ways impact the ways of behavior of that development. Science and practice have noticed long ago that a linear development of regions, sub-regions, and their enterprises is impossible. On the contrary, the general belief has been approved that "these spatial-economic categories present the so-called adaptive-rational systems, in a necessary and elastic way they have to adjust to the regulations of behavior"91 in different, dynamic conditions of the development.

Related to this, practice has investigated in a merit order, while science with specific methods has verified the knowledge that the next development paths of all economic subjects (including regions and sub-regions) have characteristics of development lawfulness, expansion, contraction, conversion and integration.
Expansion represents a sensational growth of the region (its sub-region and its enterprises) which expresses in the growth of business volume, especially the fields with comparative advantages, as well as in the heightening of the total income and growth of the employment rate. Regional expansion is conditioned with an increased internal and external demand of specific productions, as well as strengthened demand for handicraft production activity and services of all kinds.
Contraction, as a negative direction of regional development, is presented in the reduction of the overall business volume of all activities, especially the primary one, which does not mean that as a consequence it has overall negative financial results, but, in every case the valued intensity of the entire regions' economy drops.

Conversion as the third way of the next economic regional development, underlies a big change of the business program in the main part of the economic activity. It is understood that the causes of this occurrence are the internal changing conditions of the main enterprises, but in a big scale, it is the market situation within the region, as well as disordered inter-regional relations. The difficulty of the conversion phase consists of the fact that the changes of the business programs of the main activities most often cannot be applied by using existing business tools, but they have to be reconstructed and modernized. This problem because of its complexity requires that firstly it should be forecasted that it should gradually win the character of "common preparatory action" of all the factors interested within that region.92

[91] A.O. Hirscgman, "The strategy of economic development", Yabe University, New York 1998, fq. 58
[92] Myrdal G. "Ekonomska teorija I nerazvijeni regioni", London 1997 fq. 189

Lastly, integration as the next direction of regional economy must be presented in a permanent business cooperation (coordination) with one or more regions that have a similar structure, or are functionally complementary with the common aim of achieving better socio-economic results with importance to the overall development of the entire region. However, this next economic direction of regions and their economic and social fields requires conscious and planned business-political concepts and decisions and operational actions (definition of common optimal business programs, processing of relevant market topography, change of qualifying employee structures, permanent education, permanent innovations of professional occurrences, etc.).

All this leads to the conclusion that the development of regions, its sub-regions, and primary enterprises in some economic activity with a booster character, is not linear but is affected by timely changes and economic oscillations, which cannot always be forecasted and be regulated with "decisive regulations:, much less from their true causes, can be dedicated to inadequate concepts, irrational regionally planned, and operative actions. Because of this, the development and growth of the region and the primary economic fields is conditioned with an objective pass through the above mentioned characteristic phases, that is why it requires leadership of a permanent policy which is development-conscious, for which, scientists and professionals, with a full respect for a democratic free market process, will observe and study all the relevant changes and the factors ensuring its continuous development. From what was said above, results that the creation of a development plan and the definition of the tools needed for its successful realization, brings us, unconditionally, to confront the investment needs on relevant tools which represent important factors of the development. In reality, here it comes to over-projection in a time of modernization and reconstruction of existing business capacities of primary, secondary, and tertiary economic activities, and the projection of new business capacities in accordance with the impact of internal factors and the dynamic of market determinants on one hand, and the progress technical-technological progress on the other hand.

When it comes to investment aspects of regional development, then it should be considered that it is a voluminous and complicated problem, which underlies respecting many methods, norms, criteria and determinants which limit a rational and efficient investment overall, especially when it comes to regions and their typological characteristics. In the recent decades, solely because of the complexity of the investment problems, especially for organizational and methodological reasons, a special scientific discipline originated and is continuously developing, called "organization of leadership with investments".93 Along with this, within the region there should exist a coordinating staff, which must continuously follow and solve a number of investment tasks, investment policies, the scientific-technical correlation of progress and investment projects, work on investment programs, reasonableness evaluation of investment programs, preparation of investment realization, application of quantitative methods, implementation of the evaluation of investment projects from international banks for reconstruction and development, respectively the assessment of project break even.

Finally, in the investment problems of regional development a thought must be approved that there exists the problem of the hierarchy of regional and national development planning aims, which often are not compatible, and can bring deviation of the maximization of the overall income in the report at the maximization aims for regional income. Provided that they are harmonious and compatible, then they can condition the dynamic of the overall economic growth. However, even though investment in regions less productive and with less fruitful resources can bring overall weaker results. Looking at it from a long-term point of view, the effects can be much bigger.

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DOC. DR. NERITAN TURKESHI, SAMET REXHEPI, MBA, RAMI IBISHI, MBA – GOALS OF THE MONETARY POLICY AND THE STABILITY OF THE PURCHASING POWER OF MONEY

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Abstract

Theoretical thought in regard to the question of role and the importance of the monetary policy up to the present historical development is characterized with evolutional development of the views and stands of the most important bearers of the scientific thought in the area of the monetary theory. Their views and stands on the most important monetary issues are not always the same or identical. Their differences in the scientific views and opinions are understandable, if you consider the actuality of that problem in its historical (time) dimension on one side, as well as in dependency on the value which is given to the monetary factors on the other side. From historical point of view, the evolutional path of development of the monetary theory is connected or conditioned by the development in the usage of money, as well as the increase of the functions of the money.

The most important issues in the area of monetary theory, for which the views and the opinions of the most significant carriers of scientific thought are equivalent, do diverge, and often have opposed opinions on the issues related to money, i.e. the amount of money in circulation, the value of money, the functions of money and the issue on the influence of money on real economic trends. There are different, basically opposed views and opinions, regarding the mentioned issues in the monetary theory. According to ones, the development and changes of the real economic processes and trends are dependent on the factors of production, i.e. labor and the capital and the height of the interest rates, so the changes on the amount of money in circulation have no impact on real economic trends, neither on the height of interest rates, consumption, investment etc. According to other theorists, money have certain impact on the real economic trends, but only then, when the monetary balance is impaired, i.e. when the demand of money differ from the offer of money. In conditions of monetary balance, according to them, the monetary factors have no impact on the real economic trends. The reasons due to which the influence of the amount of money in circulation is relatively minor on the real economic trends are that the amount of money adjusts on its own, with the purpose to respond to the needs of trade, so the amount of money as a variable category gets down to the role of passive element in the development of the monetary cycle. If we agreed on the issue, that the role of the amount of money is passive, then it's needed to identify some other variable which have an active role and impact on the changes (disorders) of the economic balance. According to the representatives of the third group of theorists, the money as a monetary instrument has a key role, or impact on the development and changes of the real economic trends. Every change of the amount of money in circulation in direction to its increase or decrease causes appropriate changes on the real economic trends. As arguments for confirmation of their views and opinions they point out that: the change of the amount of money in circulation can cause major oscillations in the economic activities; the relation of the money toward the rest of the active assets of economic subjects is relatively stable, so the change of the amount of money can have relatively predictable effects on the economic trends; the amount of money in circulation is a monetary aggregate, and it can be controlled with a satisfactory accuracy with the measures of monetary policy.

The basic task of the monetary authority, i.e. the Central Bank of each country, is through the mechanism of money and loans to secure maintenance of the price stability in the country, with the maintenance of the stability of purchasing power of the money in the domestic market, as well as stability of the intercurrence value of the domestic currency, respectively the maintenance of the

stability of the exchange rate of the national currency in the intercurrence market. The Central Bank successfully conducts this task, if its reactions, through manipulation with the monetary factors (money and loans), will successfully follow the real economic movements (changes), and accordingly to those changes, to establish the necessary balance between them and the monetary factors. Depending on that fact, when and how will monetary authorities react (with increase or decrease of the offer of money), will depend the new price stability, and with that the macroeconomic stability in one country

The goals of the monetary policy are mostly divided into:
- Basic monetary goals.
- Additional monetary goals.

The accomplishment of the basic and additional goals of the monetary policy is conditioned by the impact of the monetary factors in achievement of the required level of stability.
Beside the division into basic and additional goals of the monetary policy, in the literature can also be met the division into:
- Direct goals of the monetary policy;
- Indirect goals of the monetary policy;

Basic condition to accomplish the goals of the monetary policy is to achieve price stability. Under maintenance of the price stability with the impact of the monetary factors, i.e. the money and the loans, it means94:
- maintenance of a general low level of prices, i.e. low rate of inflation;
- low rate of inflation is a significant assumption for a quality and sustainable economic growth and development;
- the price stability is also one of the assumptions to maintain the stability of the domestic currency.

Following of the movements (changes) of the real economic trends through the monetary factors, i.e. with the adequate change of the monetary factors (money and loans) will provide maintenance of the current balance in the frames of one economy. But, it's hard to keep the balance in the practice, especially in long term; therefore it's necessary to continually adjust the offer of the monetary factors according to the changes of the real economic trends.

The changes in the offer of money, whether it's about increase or decrease of the offer of money, it affects not only the price stability, but also the level of the interest rates, the employment, the investments and the level of the effective GDP. How the impact of the changes in the offer of money on the most important macroeconomic aggregates, i.e. upon the interest rates, employment, investments and the effective GDP, depends also from the phase of the economic cycle in which is the economy of one country. Due to the connection between the amount of money in circulation and the rate of growth of the prices (inflation) in one economy, the Central Bank is considered as a guardian of the prices in the modern economies95. The changes in the offer of money, in essence means change of the monetary policy in one country.

Basic elements of the monetary policy

Through the system of the monetary factors, the monetary authority influences on the accomplishment of the basic and other goals of the monetary, and to the macroeconomic policy. The manipulation with the financial mass is in direction to adjustment of the amount of money in circulation with the needs of the economic trends on one side, as well as the need of initiation of the development of economic cycle with the help of the monetary factors, in the other side. Also, the monetary factors can be used as initial value (category) which can cause and produce changes in the trend and the dynamic of development of the economic trends. Beside for the so-called pure monetary goals, the monetary

[94] Academic Taki Fiti, Economy, Economic faculty, Skopje, 2008, page 430.
[95] N.Gregory Mankiw, Mrk P. Taylor, Economics, translated SP Print-Belgrade, 2008, page 594.

policy is also in the function of accomplishment of the goals of macroeconomic policy, i.e. securing a higher rate of economic growth, increase of the rate of employment and maintaining the macroeconomic stability in the country. The impact of the monetary policy in accomplishment of the goals of macroeconomic policy is indirect. The so-called direct goals or intermediate goals of the monetary policy have the role as mediators, transferors respectively through which the impact is accomplished96. In the group of the basic goals of the monetary policy are included: securing of economic liquidity, monetary balance, maintenance of stability of the purchasing power of money and maintenance of stability of the exchange rate of national currency.

Economic liquidity

In the group of basic goals of the monetary policy is also the providing of the required level of liquidity in the frames of one national economy. The accomplishment of this goal of the monetary policy is under the jurisdiction of the monetary authority, i.e. the Central Bank as a highest monetary authority in one country. Economic liquidity refers to the condition of national economy in which the monetary authority distributes or enables distribution of the required amount of monetary factors (money and loans) which would be sufficient for a successful functioning of the economy, as well as successful accomplishment of the projected goals of the macroeconomic policy of the country.

The accomplishment of this basis goal of the monetary policy is narrowly connected with the emission policy, i.e. the policy of primary money and the credit policy. Which strategy will be implemented in accomplishment of this goal depends on the level of development of financial market and the approach in monetary regulation. Countries with developed financial market as an operative target for monetary regulation use the interest rates as one of the basic instruments of monetary policy, while the countries with a lower level of financial market use the mechanism of primary money as an operative target for monetary regulation. In the first case, through the change of level (amount) of interest rate it's affected on the amount of monetary factors, respectively on the amount of money in circulation, while in the second case, the monetary regulation, i.e. the amount of money in circulation is determined upon the so-called policy of primary money. The practice in numerous countries shows that, the Central Bank through the manipulation with the interest rate successfully manages to implement the process of monetary regulation. Sensitivity of the change of interest rates is higher in the countries with developed financial market in relation to the countries with a lower level of development of financial market.

Monetary balance

One of the basic goals of the macroeconomic policy, and in those frames of the monetary policy is to secure stabile macroeconomic conditions of action. Such conditions are secured if the monetary funds are in balance with the commodity funds. Each deviation from the balance in direction of increase or decrease of the monetary (financial) funds in relation to commodity funds causes a condition of instability of the macroeconomic ambient for action.

While implementing the monetary policy, of a special importance is to determine the rate of the monetary growth. Several methods are known in the monetary theory, ways to determine the rate of the monetary growth:

→ The method of targeting the monetary growth;
→ Method of targeting the rate of inflation;
→ Through leading a tight monetary policy;
→ Through a complete independence of the Central Bank.

On targeting the monetary growth, the Central Bank publishes the rate of growth of the offer of money. In principle, the targeted rate is in that way determined, so it can be maintained on the level which suits the predicted rate of inflation and the real rate of economic growth of the economy of one country. The appliance of the targeted rate of monetary growth was used during the 7o's and the 80's

[96] Dr. Ljupcho Trpeski, Monetary economy, Skopje, 2010, page 232.

of the last century. The method of targeting the monetary growth started to be used in the USA in 1975 when the Federal Reserve's of the USA (FED) published the targets of the three most important monetary aggregates (M1, M2 and M3), but due to the difficulties in implementation of the control of monetary growth, they faced with failures of the targets of monetary growth. As a reason for abandoning the method of targeting the monetary growth in the USA, are considered the sudden changes in the financial system in the USA during the 70's and the 80's of the last century, which caused serious difficulties in predicting the demand of money.

The method of targeting the rate of inflation started to implement in 1990, firstly in New Zealand and later in other countries. With this model, the Central Bank is obliged to publish the rate of inflation as the ultimate goal which needs to be achieved in the period of four years. It is considered that the method of targeting the inflation successfully solves the problem of predictions of the demand of money. According to this model, if the demand of money is unstable, i.e. it changes, and then the Central Bank can react with adequate change of the offer of money. Still, the biggest deficiency of the model of targeting the inflation is considered the time delay of the effects upon the inflation by the measures of the Central Bank.

Beside the method of targeting the monetary growth and targeting the inflation, there are other methods, ways to determine the monetary growth, and with that the increase of the effects by the appliance of the measures and the instruments of the monetary policy. As a way to achieve this goal is considered the insertion of a banker with a strong hand who is prepared to conduct the outlined policy of tight hand. Such was the case with the appointment of Paul Walker as Chairman of FED in the USA97. He managed to solve the problem of high rate of inflation in the USA, but because of his inflexibility in managing the monetary policy, the rate of the unemployment in the USA increased, especially in the period between 1981 and 1982.

As a model, way to regulate the monetary growth also is considered the increase of the independence of the Central Bank in leading the monetary policy. In the countries in which the Central Banks are independent from the executive authority, they lead an independent monetary policy, run according to the determined goals of the monetary policy. The monetary growth in those countries is determined and conducted according to the changes in the real economic trends, without any influence or pressure, especially from the executive authority.

Maintenance of the stability of the purchasing power of money

The role of the Central Bank in maintaining the stability of the purchasing power of money is of a first degree importance. The stability of the purchasing power of the money refers to a condition when the value of money is not changing, respectfully when the variations (changes) of the value of money are moving in the margins (limits) anticipated with the monetary policy. The stability of the purchasing power of money is possible only if the purchasing funds in one economy are equal with the commodities funds, more precisely when the commodities and monetary funds are in balance. The market of money is in balance when the offer of money, determined by the Central Bank is equal with the aggregate demand of money (total demand of money)98.

The monetary authority, i.e. the Central Bank concerns about the stability of the purchasing power of the money. If the Central Bank release a larger amount of money in circulation, then it comes to a rise of the general level of the prices, decrease of the interest rates and the decrease of the purchasing power of the money, because with the same amount of money a smaller amount of goods and services can be bought. If the Central Bank through the emission policy releases a smaller amount of money in circulation, then by rule it comes to a decrease of the general level of the prices, increase of the

[97] Andrew B. Abel, Ben S. Bernanke, macroeconomics, United States-Economic conditions,2001 translated in Macedonian, 2010, page 593.
[98] Paul R.Krugman, Maurice Obstfeld, International Economics, Pearson Education, 2009, предевено на македонски јазик, 2010, стр. 372.

interest rates, decrease of the investments but also to the increase of the purchasing power of money, which means that with the same amount of money a larger amount of goods and services can be bought.
Under jurisdiction of the Central Bank is also the maintenance of the stability of the purchasing power of money. With the measures and the instruments of the monetary policy, the Central Bank is in position to affect the amount of money in circulation, and with that to affect the stability of the purchasing power of money. Depending on the condition of the national economy and the goals of the macroeconomic policy, and in those frames the goals of the monetary policy, the Central Bank conducts an expansive, restrictive or neutral monetary policy.

The total amount of money in circulation in one country is determined by99:
- the primary emission of money, which appears in the form of obligations of the Central Bank towards other sectors of the economy;
- the credit expansion of the deposits. The deposition banks are the only institutions capable to multiply the deposits which are deposited at them.

By previously stated it means that the total amount of money in the frames of one national economy depends on the monetary mass and the monetary multiplier. Having in mind the fact the total monetary mass in the frames of one national economy depends on the policy which is implemented by the monetary authority, than we can conclude that the maintenance of the stability of the purchasing power of money is under direct influence of the policy of the monetary authority.

Maintenance of the stability of the exchange rate of national currency

Maintenance of the stability of the exchange rate of national currency is also under the jurisdiction of the Central Bank. Independently which regime of the exchange rate is implemented in determination of the intercurrence value of the national currency, it's of an interest of each country to achieve stability of the exchange rate of national currency. The exchange rate of national currency can be:

Fixated exchange rate;
Variable or floating exchange rate;
Exchange rate determined upon the so-called exchange rate of a basket of currencies.

The stability of the exchange rate of national currency means a condition in which the value (price) of the national currency expressed in foreign financial units remains unchanged, respectively when the fluctuations of the value of domestic currency expressed in foreign financial units are in the frames of the projected values. Maintenance of the stability of the exchange rate of national currency can be achieved also in the three current regimes of the exchange rate, with the difference that during the fixated regime of the exchange rates, the intercurrence of the national currency is fixated on one determined level, while in the regime of fluctuated (floating) rates, the intercurrence value of the national currency fluctuates depending on the offer and demand of the foreign financial units (currencies and foreign currencies) in the domestic market. In the regime of the so-called basket of currencies, the intercurrence value of the national currency, and with that the stability of the exchange rate of national currency depends on the level of fluctuations of the value of chosen basket of currencies in the intercurrence market. All these previously mentioned regimes of the exchange rates have positive effects but they also cause certain negative implications on the condition and the development of the national economies.

Additonal goals of the monetary policy

As is already known, the ultimate goal of the monetary policy is the accomplishment of the ultimate goals of the macroeconomic policy; such are the increase of the rate of economic growth, increase of

[99] Трпески Др.Лупчо, Монетарна Економија, Скопје, 2010, стр. 279.

the rate of employment and creation of stabile macroeconomic conditions, i.e. the stability of prices and a stable exchange rate of the national currency. The importance of the monetary policy in this domain is in the efficient functioning of the monetary system, while through creation of stable monetary conditions, to affect the accomplishment of the goals of macroeconomic, and with that to the monetary policy. To accomplish the projected goals of the macroeconomic and monetary policy, beside the basic instruments of the monetary policy, the Central Bank also uses additional instruments. In the group of additional instruments of the monetary policy are: selection of the targeted intermediate variable, the use of the monetary aggregates as intermediate goals, the use of the interest rate as the intermediate goal of the monetary policy, as well as other variables as possible intermediate goals of the monetary policy.

Monetary aggregates as intermediate goals

Last several decades, the economists of the most developed countries have shown preference towards the monetary aggregates as intermediate goal of the monetary policy. Particularly was implemented the policy of programming of the growth of monetary aggregates on a year basis. As important elements (factors) which affected upon the decision to approach toward yearly targeting of the monetary aggregates were:

- the problems with which the economies of the highly developed countries faced, with the use of the minimal interest rates in conditions of increase of the rate of inflation and inflationary expectations;
- the growth of the rate of inflation and inflationary expectations have caused fall of the real interest rates, beside the fact that the nominal interest rates remained the same, or they grew;
- the real interest rates were accepted as significant variables while bringing the decision about the level of consumption by the economic subjects.

The explanation was that if to a change of the interest rates has come as a consequence of the growth of aggregate demand, then the growth of the interest rates can give a misconception about the character of the monetary policy. In order to learn the reasons for the rise of the interest rates, i.e. is the reason the character of the monetary policy (expansive or restrictive), they have pointed out on the need to follow the changes of the interest rates, but also to the other variables, and such are: the reserves of liquid funds and the financial mass in circulation.

The interest rate as a intermediate goal of the monetary policy

The nominal and real interest rates are a long term intermediate goals of the monetary policy. In the literature of the monetary policy can be found different views and stands in regard to the relation between the interest rates and the ultimate goal of the economic policy (growth of the GDP) as well as that the connection between the interest rates and the inflation is unclear and weak, and even false100. In those conditions, the impact of the Central Bank in regulation of the interest rates through the instruments of the monetary policy is limited, therefore in the developed market economies, the interest rates don't serve (use) as the only target of the monetary policy, but primarily are used the monetary aggregates as intermediate goals of the monetary policy. But, from the numerous researches it's concluded that the impact of the real interest rates on the real economic trends is significant.

The amount of the interest rates primarily depends on the state of the economy in one country. When the economy is in balance, then the interest rate is natural and is a reflection of equaling the desire for saving and the investments. But, the amount of the interest rate is not always on the level of the natural interest rate, i.e. higher or lower of the natural interest rate, depending on the condition of the economy and the measures of the macroeconomic, and especially the monetary policy. The growth of the interest rate should be the signal to the monetary authority for appropriate reaction, in order to change the condition or to change the approach in implementation of the monetary policy. The growth

[100] Dr. Aleksandar Zhivkovic and Dr. Gradimir Kozhetinac, Monetary economy, Economic faculty-Belgrade, 2005, page 304

of the interest rates not only does narrow the space for acceleration of the economic trends, but also gives enough of information about the real condition in one national economy. Therefore, according to the research conducted in the USA, it turns out that the best approach regarding the monetary targeting is in the use of this information about the movement of the interest rates as informational variables. This dual approach of monetary targeting implies on the importance which is given to the monetary aggregates and the interest rate as intermediate goals of the monetary policy. In regard to the issue of the intermediate goals of the monetary policy, James Tobin concludes that the economy which has a complicated financial structure, where the instruments of the monetary policy can be replaced with each other, it is difficult to separate some of the financial aggregates, or the interest rate as a variable which has the direct connection with the real economic trends.

Conclusion

Monetary policy, as part of the overall macroeconomic policy of one country has a great impact on the overall socio-economic and social development, and in this framework and the development of the banking sector of a country;

The impact of the monetary policy on the changes of real economic flows on one hand, and the impact on the stability of the financial system, and thus the monetary flows, on the other hand, is in the function of stimulating the overall economic and social development, and within this framework the development of the banking sector. Through the application of measures and instruments of the monetary policy it seeks to sustain the price stability as the ultimate goal of monetary policy, while through the mechanism of monetary regulation, the stability of the purchasing power of money in the internal market and exchange rate stability of the national currency;

The impact of monetary policy, and efficiency in the use of the instruments of monetary policy in realizing its goals, as well as the objectives of macroeconomic policy, depends on the degree of autonomy of monetary authorities on one hand, and the level of coordination of its activities with other organs and institutions of the system, on the other hand;

Depending on the situation in one national economy (the level of economic development, levels of monetarism of the economy, and the phase of economic cycle which passes through a country's economy), on one hand, and the objectives of macroeconomic policy, within this framework the objectives of the monetary policy, the monetary authority leads an expansive, restrictive or neutral monetary policy;

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JUSTINA SH. PULA, EMIN NEZIRAJ, DRITON SYLQA – ORGANIZATIONAL CHANGE PROCESS AND THEIR RELATION BETWEEN EMPLOYEES IN KOSOVA BANKS

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Abstract

In this paper work we will deal with topics which are closely connected to understanding of phenomena, organizational changes regarding to how the change production process can makes resistance between employees. According to resistance we will try to find the difference between employee's and manager's behavior in different banks such are Sweden and Kosovo. The companies which I use for case study is Commercial banks in Kosovo.

Keywords: Organizational change, dealing, management, banks

Problem discussion

Hence, organization change can be viewed as revolutionary or evolutionary; transformational or transactional; planned or unplanned; and so on. Irrespective of the nature of the change, John Kotter (1996) in (Burke, 2011:3) So organizational change is more and more important for organizations in order to adapt to environment and stay competitive. The applying organizational change in organization is a "managing systematic process for applying behavioral science principles and practices in organizations to increase individual and organizational effectiveness" (French and Bell,.1999:24). However, various authors such as Kotter and Schlesinger, Hardy, Hoffman, Myth o and. Mousetrap, De Pree, identifies the problems about how to apply the change program in organization. The problem is resistance of employees for changes.
So according to (Kotter & Schlesinger, 1979:107), "one of major reason why people resist organizational change is that they think they will lose something of value as a result in these cases, because people focus on their own best interests and not on those of the total organization, resistance often results in 'politics' or 'political behavior'". Also, in article was make a study as how the change organizational processes can affect change in the thinking of members in the organization, where she put the claim that the members of organization must have logical strategic thinking, this thinking can make much easy the production change process in organization. But her main concern was the impact ambles of individuals to implement the strategic action.

From last sentence we can agree with study of Hoffman, who was explain that the problem in organizational development process can be people reaction and relation between employees when happen the change planed process.

However, "the key elements in the art of working together are how to deal with change, how to deal with conflict, and how to reach our potential...the needs of the team are best met when we meet the needs of individual persons"101. According to last sentences or with theoretical approach by De

[101] See more http://www.bayt.com/en/employer-article-6541/

Peer102, I can consult that the problem how to deal with conflict between organizational members passes through four stages so regarding with, there is a different four stages where people are turn.
Problem formulation

The aggregation of the above issues results in the following research problem. How change process can affect into relation between organizational members from different companies which are from different courtiers and how to deal with this?

Purpose

Our purpose is to investigate the change process which is caused by new production and how this kind of change process can disrupt relationships between employees in banks. The focus of this master thesis it will be explanation how the change process can make the problems into relation between employees caused by resistance in banks.

The analyses about which elements of resistance are similar or different in three banks can contribute in understanding how the resistance of employees is present in different banks. The explanation of this process it will be present according to relevant literature and other relevant sources which are useful in this study. Focus of this study is management change caused by new production process, but the main concern it will be how the management change can make the resistance between employees.

According to case study the concern it will be to compare the resistances in both companies, because in those three banks came to the organizational changes. What is same in these change process is that both companies the change process are focus in the production process. So the members of those companies have the quite similarly problem which is resistance to change process.

Theoretical Background

Organizational development process

The organizational development presents the set of changes which are occur in organization. The changes include the acceptance and development of new ideas, forms and organizational human behavior. So organization in the modern economy is characterized by continuous change. Changes have their own tempo and dynamics. These include the process of changing in existing organization and their components. The value of the company is reflected on an ability to change.

Organizational change refers to how profit and non-profit organizations planed, to introduce and manage changes. Changes can be caused by interior side or external factors.Inline factors relating to the employees of the organization, a foreign the activities of competitors, shareholders, legal bodies, natural phenomena and the general economic conditions. So, generally speaking, organizational change process can be defined as a process of transition (transition) from the old, inappropriate organizational solutions, under the new solution, compatible with the requirements of the business environment (S. Martinovic, 2004;34).

“Managers can focus four types of change within organizations to achieve strategic advantage. These four types of changes are”103: Technology change, production and services change. Strategy and services change and culture change (R. Daft, 2013:433).
Every type of organizational change development uses the total system perspective. Total system focuses on changes in organizational processes, structure and the culture change.
Organizational processes are the way how things get done in the organization. With other words the organizational processes is "techniques" for arriving to positive results. The positive results are when the organizational processes improve effectiveness.

[102] See more http://www.iculturelink.com/consulting/teamwork/

Some important processes in an organization are: decision making, resource allocation, human resource practices and strategic management (French and Bell, 1999:4)104.

Organizational structure. Represent the dominant changes in the company. Organizational structure changes are including in whole organization. Changes in structure are a consequence of growth and development, and organizational factors. The scope and depth of change depends upon whether it is a reorganization or organizational transformation. Reorganization - changes whose goal is to customize the organization changes and the demands of the environment. Transformation - a radical change in structure, organizational culture, attitudes, values employees. In contemporary practice, the most common reasons for changes are: mergers, acquisitions, changes in top management and others.

According to (French and Bell, 1999) organizational structure change is the design of the organization; it is about how the parts are connected with each other. Important in this case is how individual work tasks are designed, and how they are integrated in the whole organization. "Organizational culture represents the shared values, assumptions and beliefs by organizational members, which shape how they perceive, think and act. Important to mention here is the fact that the culture is always company-specific. There cannot be another company who shares exactly the same culture" 105.

When creating a 'new organizational culture', it is important to use values that are: humanistic, optimistic and democratic. Democratic is about the need that makes it possible that everybody can participate (French and Bell, 1999:62).

Culture creates the leaders.Culture formed during critical events. Culture developed to primarily men maintain by employees. There are internal and external adaptations of culture. Internal adaptation is happening in the companies, and external outside companies.External has all the elements of-vision, the strategy of how to destroy us. Internal has some of the group, teams with the same vision in order to achieve the goal of the first man. The most important thing is to maintain organizational culture. Organizational is that the managers need to pay attention. Always should mold, fix, correct culture. Both the leader and the members should work together to modify their interactions to become more mutually effective toward organizational goals (French and Bell, 1999:68). For the implementation of Total System organization is in need to respect contemporary trends of change management process.

There are five identification of contemporary trends in change management process or (from) organizational development: a) Increasing of task forces implementation process of the new work, b). Attention to developing change process theory, c). Expanding interest in managing conflict, d). Advancing sophistication in organizational change resulting research, and e). The intensive focus on designing organizational culture as means of how to managing the organizational change process (Carter McNamara (2013:3). I can see that the elements such as increasing of task forces of new work, expanding interest in managing conflict and part of how to managing the organizational change process, can be a good basis of interior theoretical study in business environment during the emergence of organizational change or organizational development 106. As we can be seen in these elements of themselves have much lateral connection between themselves and the lateral connection for which I care it is about the human factor and human behavior in organizational change process.

Resistance to change

For instance, the demand for change can come from external and/or internal forces. In case there occur 'people problems' or 'work-system problems' within the organization, it can trigger the need to change into a better working environment. The change in business environment can come from

[104] Also see more http://www.fao.org/docrep/W5830E/w5830e0f.htm
[105] See more http://www.au.af.mil/au/awc/awcgate/ndu/strat-ldr-dm/pt4ch16.html
[106]http://managementhelp.org/organizationalchange/#anchor574384

internal and external side107.. So component of human stress caused on the basic of organizational change is external effects from market environment.
In this theoretical study of organizational change process the focus will be given to internal side, because this is the one of main subject of this fieldwork which can study more deep the human reaction of change development process.
The organizational change takes humanistic behavioral science knowledge it is for it because the target of change may be the organizations a whole and the specific part of it, or even particular individual. Included that one of the problems arising in the organizational changes is itself human resource -the human resource according to some polls 20% can affect the flow in organizational changes (S. Martinovic, 2004:37). Before I begin with considering the possible consequences of organizational change into resistance it is important to determine what actually causes resistance and who does it do. According to Kotter and Schlesinger (1979) the main form of diagnosing resistance, is actually who can make the resistance and the resistance can make human forces.

The change process always causes conflicts between their actors. Any change process has own provision of employees resistance. The implementation of organizational changes will result not only resistance but also stressful situations.

Situation after beginning of change process in company is mostly unknown and causes the insecurity climate.

The problems with which organizations can meet on organizational change from resistance side are 108:
- Counteraction and resistance to any change, it is "unknown"
- Fear of loss of personal position, power and influence
- Attitudes and opinions to the existing way of better and it should not be changed

The greatest resistance causes by change process are related to people. This is one of the most important tasks of management in overall how to manage organizational changes.

So the change process bring the human resistance has one of main problems in organizational development. And if it is possible that organizational change give us the positive and rational involve again can bring the negative consequences into group there are the big number of different reasons why is like this. Too many individuals can react very differently to change this can be one of elements why the positive change can bring negative consequences. To be clearer every individuals has his rational subjective thinking.

But why is like this, because people when happen total organizational change they thinking that they can lose something of value this can be one of major reason why people resist.

We can find in words of last sentence that people look they own best interest, their focus in organizational change is to find best self internets and get as many coaxing of causes of organizational change, this can change the behavior of workers and whole organizations.

Another possibility where people also resist in change process is when they does not understand the implication and perceive of organizational change. They think that the implication can cost them too much. It's coming question why they fear or on basic which orders they feel fear. So who gives the order the order give a manager, he used his power. So according to Jackson and Carter (2007) the organizational context power is the ability to get someone to do something that they do not particularly want to do. It is obvious that people who work in the organization always wanted to do what they do it then it could be if the river is to provide managers can disappeared.

[107]http://webcache.googleusercontent.com/search?q=cache:2jXmDKa9WXQJ:highered.mheducation.com/sites/dl/free/0073404993/579428/Sample_Chapter.pdf+&cd=3&hl=en&ct=clnk
[108] http://www.torbenrick.eu/blog/change-management/change-is-not-the-problem-resistance-to-change-is-the-problem/

So in this reason is present the word or concept "Power" bass is the reason, because it comes from not understanding someone who want to make the changes in organization or a new vision in business or organization.
Means one of vision on the basis that people resist change is of misunderstanding which are caused by the managing own power. As we are known the manager has the property rights and authority that a business directive which is in the service of all it is if there are objective, then workers would not be that resists. According to Jackson and Carter (2007) the property rights of power is value of stems from the belief that if someone owns something, then, providing that they do not damage the rights of other people, they are free to do what they like their property.
When managers initiate on change they must have relevant information requires conducting adequate organization analyses. Relevant information which he must have and can take employees from the employees information can be differently interpret from managers and aspects that bring the low resistance.

According relevant information by employees and understanding differently by managers can be explained through the react of truth. Regime of truth Jackson and Carter (2007), is of property rights of power which the managers can use, so if the managers do use the regime to judge the relevant information then in change situation common the high resistance. In one another theoretical approach the power can provide the energy for change process. According to the last sentence can power the mechanism with which we can make good strategic change and if it is like this that have positive meaning of resistance. The positive resistance is when the employees follow the instruction with they own contribute.

Dealing with resistance and their stages.

For instance, the demand for change can come from external and/or internal forces. In case there occur 'people problems' or 'work-system problems' within the organization, it can trigger the need to change into a better working environment. The change in business environment can come from internal and external side. So component of human stress caused on the basic of organizational change is external effects from market environment109.

In this theoretical study of organizational change process the focus will be given to internal side, because this is the one of main subject of this fieldwork which can study more deep the human reaction of change development process.
The organizational change takes humanistic behavioral science knowledge it is for it because the target of change may be the organizations a whole and the specific part of it, or even particular individual (Meyerson & Martin.1987).

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The change process always causes conflicts between their actors. Any change process has own provision of employees resistance. The implementation of organizational changes will result not only resistance but also stressful situations.

Situation after beginning of change process in company is mostly unknown and causes the insecurity climate.

[109]http://webcache.googleusercontent.com/search?q=cache:2jXmDKa9WXQJ:highered.mheducation.com/sites/dl/free/0073404993/579428/Sample_Chapter.pdf+&cd=6&hl=en&ct=clnk

The problems with which organizations can meet on organizational change from resistance side are110:
- Counteraction and resistance to any change, it is "unknown"
- Fear of loss of personal position, power and influence
- Attitudes and opinions to the existing way of better and it should not be changed

The greatest resistance causes by change process are related to people. This is one of the most important tasks of management in overall how to manage organizational changes.

So the change process bring the human resistance has one of main problems in organizational development. And if it is possible that organizational change give us the positive and rational involve again can bring the negative consequences into group there are the big number of different reasons why is like this. Too many individuals can react very differently to change this can be one of elements why the positive change can bring negative consequences. To be clearer every individuals has his rational subjective thinking.

But why is like this, because people when happen total organizational change they thinking that they can lose something of value this can be one of major reason why people resist.

We can find in words of last sentence that people look they own best interest, their focus in organizational change is to find best self internets and get as many coaxing of causes of organizational change, this can change the behavior of workers and whole organizations.

Another possibility where people also resist in change process is when they does not understand the implication and perceive of organizational change. They think that the implication can cost them too much. It's coming question why they fear or on basic which orders they feel fear. So who gives the order the order give a manager, he used his power. So according to Jackson, & Carter (2007) the organizational context power is the ability to get someone to do something that they do not particularly want to do. It is obvious that people who work in the organization always wanted to do what they do it then it could be if the river is to provide managers can disappeared.

So in this reason is present the word or concept "Power" bass is the reason, because it comes from not understanding someone who want to make the changes in organization or a new vision in business or organization.

Means one of vision on the basis that people resist change is of misunderstanding which are caused by the managing own power. As we are known the manager has the property rights and authority that a business directive which is in the service of all it is if there are objective, then workers would not be that resists. According to Jackson, & Carter (2007) the property rights of power is value of stems from the belief that if someone owns something, then, providing that they do not damage the rights of other people, they are free to do what they like their property.

However, in can happen that the organization of a low level of trust between employees and managers and it is consequently of misunderstandings to develop change. If happen these sudden situation then genesis problems I was again self interest of employee in change process.

The different, actor easements of change in process can give another reason why people resist organizational change, because the people assess the situations differently from their mangers change process.

When managers initiate on change they must have relevant information requires conducting adequate organization analyses. Relevant information which he must have and can take employees from the

[110] http://www.bovey.com.au/files/rcap.pdf pg 374

employees information can be differently interpret from managers and aspects that bring the low resistance.

According relevant information by employees and understanding differently by managers can be explained through the react of truth. Regime of truth Jackson, N. & Carter, P. (2007), is of property rights of power which the managers can use, so if the managers do use the regime to judge the relevant information then in change situation common the high resistance. In one another theoretical approach the power can provide the energy for change process. According to the last sentence can power the mechanism with which we can make good strategic change and if it is like this that have positive meaning of resistance. The positive resistance is when the employees follow the instruction with they own contribute.

Empirical material

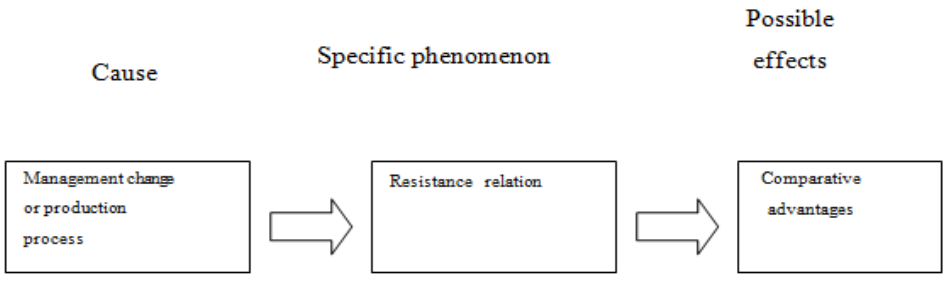
Methodology

In the following part we will present the methodological choices and explain their impact on my research. Science itself is far from being clear. This is one of the origins which encourage researchers to explore science in a continuing process. Thus science can be seen as an ongoing generation of theories, models, concepts and strategies (Gummesson, 2000:22). Since I am study a real practical problem, I have to retrieve information about the past, current and future situation. After I collected the necessary data, I will combine this with existing theoretical knowledge.
These two combined will provide me the information I need to tell something about the researched problem. I have not the objective to create assumptions to test in real life, since the reason for this research is to get a clearer vision about the investigated organizations, the ETG Company and Birra Peja.

Scientific Perspectives

I can find two main relevant and extreme scientific perspectives, the hermeneutic and positivistic paradigm. I want to provide an insight to the positivistic approach since I am considering it as the most suitable approach to my research project. The way of looking at it is founded by the fact that I am going to describe and explain my findings regarding the objects of research. I acted as external observers as well as we fulfilled the criteria of the positivistic point of view, as described in Figure 2, while conducting the research. By knowing the used methodology, the reader should become clear about the structure of the scientific work which is done in this thesis (Ibid, 177-179)

Figure 1 The cause's relationships



Training change process in "Pro-Credit Bank" in Kosovo

⌦ Gender, age and level education description in "Pro-Credit Bank":

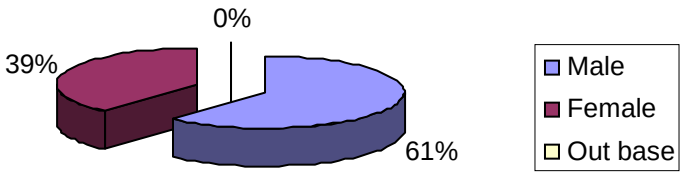
According to question 1 (Appendix A) the next table will present the gender relation in this "Pro-Credit Bank". Q1: Gender

Table 1 Gender structure of responds in "Pro-Credit Bank"

	No. of responds	Percent
Male	38	61,29
Female	24	38,71
Out base	0	0
Total	62	100,00

Source: Data base collection from questionnaire

Figure 2 Gender structures of responds in "Pro-Credit Bank"



Source: Data base collection from questionnaire

According to table1 I can note that the percent of female gender is 61, 29 %(sixty one point twenty nine percent), so the main part of gender are male, because the percent of female is 38, 71 % (thirty eight point seventy one percent) are female.

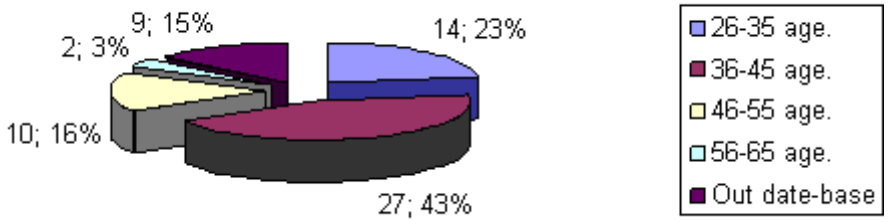
The second table and figure will present the age relation in "Pro-Credit Bank"

Table 2 Age structure of responds in "Pro-Credit Bank"

	No. of responds	Percent
26-35 ages.	14	22,58
36-45 ages.	27	43,55
46-55 ages.	10	16,13
56-65 ages.	2	3,23
Out date-base	9	14,52
Total	62	100,00

Source: Data base collection from questionnaire

Figure 3 Age structures of responds "Pro-Credit Bank"



Source: Data base collection from questionnaire

So in "Pro-Credit Bank" must of responds have ages 36-45, that mean the responds according to their ages are more professionals in their job and they have more experience how to be more flexible

during to their professional activity. This trend it is quite same and in "NLB" bank, but in "TEB" bank must responds have ages 46-55.

⌦ New Lublan Bank ("NLB") - Kosovo

"NLB" (New Lublan Bank) is continually consolidating its influence in the financial markets through its active and strategic role in all fields of social development. By implementing their business goals on the basis of tradition and trust, and by responsibly cultivating their business values, they are creating a new image of banking culture.

As the largest Slovenian bank, they well understand the significance of their mission, and they know that the successful development of society as a whole also increases the reputation and value of the bank as a part of this society (www.kasabank-kos.com).

Link between change training processes in banks

The link between training programs and training process in those banks is that all three banks has the same subject which is oriented to better productivity in their business activity. To productivity in business activity in bank could when the banks are held intensive training on topics such as negotiation skills, flexibility of management, create new innovative ideas and improvement of better quality of services.
So the trainings which are develop in those banks it was in service of above mentioned topics and this topics in the future should be make the better performance of employees. The training topics which in future should make better performance are: negotiations skills between employees and clients and that can lead to progress in the banks.

On the other hand, if the management staffs in banks are more flexible inside of organization the employees can much easy do their job and if the management staffs are more open in communication with their employees they will work better and it will affect their efficiency. Creation of new ideas about business activity can bring the better position in market and actually the values of banks shares will be larger and those should directly increase their capital.

Empirical findings

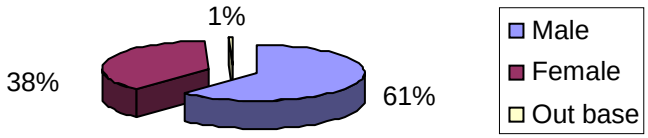
Currently, Kosovo is new country in the Europe, before is was part of Serbia and EX Yugoslavia. Kosovo is a post-war country, where during 1999 NATO intervenes in order to save millions of lives from the Serbian genocide.
Different international organizations and institutions are present in Kosovo including EULEX, UNMIK, OSCE, KFOR – NATO, and so on. The unemployment rate includes 55% of the population(RIINVEST 2008:23).

They are unemployed and they are looking for a job. Around 17% of the population live under extreme poverty with less than 1.5 $ per capita RIINVEST 2008:24). However, people employed in banks, have higher salaries than the majority of the employees in other industries.
Bank employees enjoy very good standards and good salaries if they are compared to other employees in Kosovo. However, there is a great difference between the annual income for a bank employee in Kosovo and any other developed country
Q1: Gender
Table 3 Gender structure of responses

	Number of responses	Percent
Male	99	61.88
Female	60	37.00

Out base	1	0.63
Total	160	100

Figure 4 Gender structures of responses



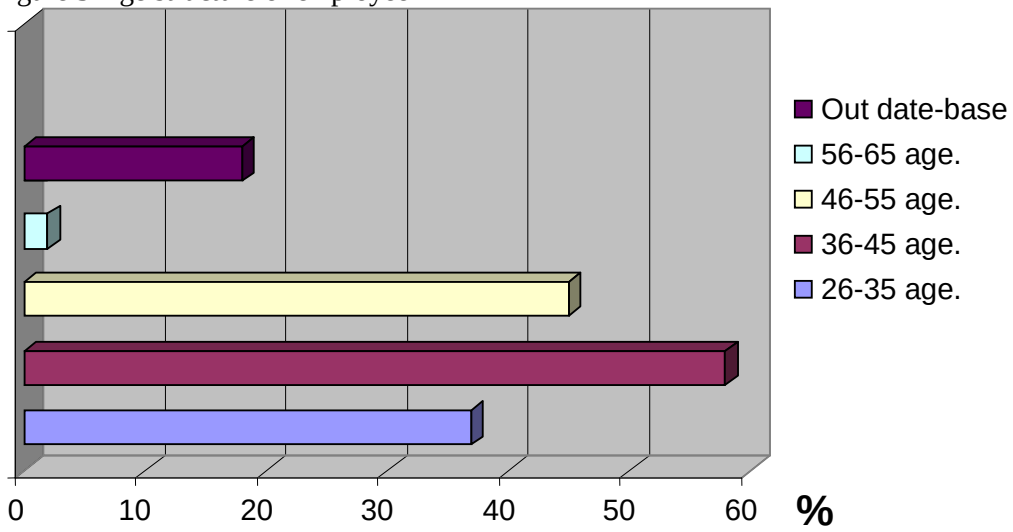
In Kosovo female are less numerous to work in Bank.

Q2: Age of employees

Table 4 Age structure of employee

	No. of responeses	%
26-35 age.	37	23,13%
36-45 age.	58	36,25%
46-55 age.	45	26,80%
56-65 age.	2	3,20%
Out date-base	18	10,62%
Ukupno	160	100%

Figure 5 Age structure of employee



According to Statistical Office ofKosovo, Kosovo has a very young population, where more than 55% of the population is below 28 years old. Hence, we have a greater number of employees in the Banks.

Q3: Level of education

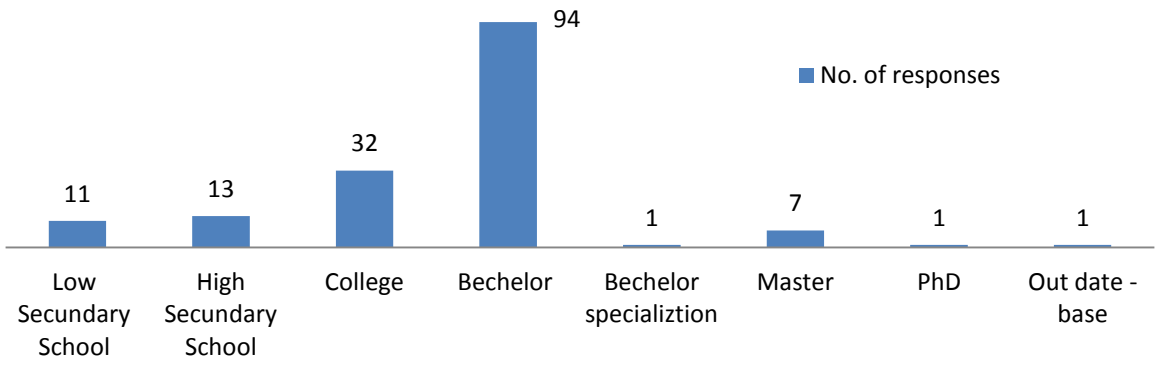
Table 5 Level of education

	No. of responses	%
Low Secundary School	11	6,88%
High Secundary School	13	8,13%
College	32	20,00%
Bechelor	94	58,72%
Bechelor specializtion	1	0,63%
Master	7	4,38%
PhD	1	0,63%

Out date -base	1	0,63%
Total	160	100,00%

Banks, gather mainly high level employees On the other hand, employees in Kosovo Banks explain that most of the employees have a bachelor degree, in the second place other levels of education, then are employees with master level, and there are no people without diplomas.

Figure 6 Level education of employee



Q6. What is your position?
Table 6 Position of employee

	No of responses	%
Top Manager	13	3,75%
Middle Manager	73	8,23%
Manager	37	13,75%
Sector Manager	22	23,13%
Service manager	6	45,63%
Out date-base	9	5,51%
Total	160	100,00%

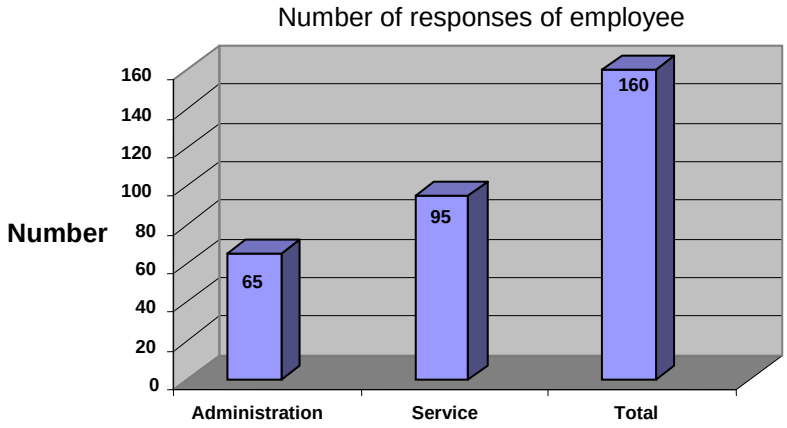
Figure 7 Structure positions of responses

Most of responses come from peoples who work in banks; it is logical because banks employed more people.

Q4. In what kind of department are you working?
Table 7 Work sector employees

	Number of responses	%
Admin sector	65	40.63
Service sector	95	59.38
Total	160	100.00

Figure 8 Work sector employees



Q20 - 25
Table 8 Indetification which kind of training of employee can influence in change bank efficiency in Procredit bank- Peja

No	Training needs	Percent
1	Negotiation	50.00
2	Quality of service	16.67
3	Innovation	16.67
4	Management	16.67

In Procredit bank the employee seen that must of training needs it is about negotiation. And according to P.Ducker I can constant that the productivity of one business in this case Procredit bank is Negotiation. The negotiation in the bank must be perfect and that can depends of clients.

Table 9 Indetification which kind of training can influence in change bank efficiency in Privat Business Bank-Peja

No	Training needs	Percent
1	Negotiation	16.68%
2	Quality of service	33.32%
3	Innovation	33.32%
4	Management	16.68%

The employee in this bank is see that the quality of service and innovation are major part of bank efficiency and they also have a needs in the training program to some seminar or training about how to make best service include some kind of innovation that maybe can be system of payment or online payment. The quality of a service is perceived by a costumer when the service is being purchased. The moment when the seller meets with the costumer is according to Grönroos called the moment of truth.

The quality perceived by the consumer is not only created in the factory or at the moment of truth, it's build up by the whole bank.

Table 10 Indetification which kind of training can influence
in change bank efficiency in TEB Trade Enterprise Bank-Peja

No	Training needs	Percent
1	Negotiation	33.33%
2	Quality of service	33.33%
3	Innovation	0.00%
4	Management	33.33%

Quality improvement is a dynamic process not only a single specific approach, therefore the work will continue after an installation or a change in the offer to the costumer. (Grönroos, 2000)
Quality should match the company's strategy and customer expectations and the service. It is commonly accepted that customers should get a bit more than expected out of the process. However, care must be taken for a persistent increase in quality offering may lead to increased expectations to the point of not being realistically sustainable. Similarly, negative experiences also tend to affect tolerance zones.

Table 11 Indetification which kind of training can influence
in change bank efficiency in NLB New Lublan Bank-Peja

No	Training needs	Percent
1	Negotiation	16.67
2	Quality of service	33.33%
3	Innovation	25%
4	Management	25%

Table 12 Indetification which kind of training can influence
in change bank efficiency in total of research analize

No	Training needs	Percent
1	Negotiation	26.77%
2	Quality of service	33.33%
3	Innovation	23.33%
4	Management	16.77%

And if the way to the title was exhaustive and enigmatic, however, we get an instruction that Umberto Eco wrote in "One way that always turns out longer for reasons of beauty that is during the journey" (U. Eco STSH.. PD 1982:23). After that we came for detailed data processing, according to information based on the order of analysis of data for all banks.

In recent times, we are increasing the importance of analyzing the monitoring and education of employees in the skills and knowledge necessary for more efficient mode. For this reason many companies are implementing continuous training, which significantly increases the satisfaction of workers and thus their performance. Training of personnel, combined with appropriate changes in attitudes, increase the self-company staff, increasing their association with the organization and improving their knowledge and skills. Also, provides mutual division of knowledge and experience helps professional levels and achieve high levels of organizational culture.

Analysis and Interpretation

Training change development process

The particular findings regarding generally answers of question 1 (Appendix B) and as well as H1, in the Banks is offer the training development program relevancy to daily work. According to those findings, I can agree with theoretical approach because the offer training development process in banks should consist of "planed programs which is designed to improve performance at the individual, group which should be adapted to daily work "(Cascio, W., 1998:262). This can give me a right in saying that the banks, which offer training development program with the main component daily work activities in organization, can make organization more successful or in other words, the organization more efficient.

According to question 2 (Appendix B), and in general to the answers of responds of on this question, I have noted that the management Bank staff gave to the majority of employees access to relevant training programs and due to this fact the banks have increased its efficiency. According to Latham and Crandall (2001) have pointed out that, over the past decade the training literature has emphasized that access of employees to relevant training development process should be linked to an organization's strategy as a part of investment in people, because those investments in people mean the higher profit for organization. Connection between theoretical and practical approach improve the supporting of practical findings to theoretical approach about access to training development.

According to question 9 (Appendix B), I can conclude that the training development program which is offered by management staff for their employees influence in daily work activities that can confirm the H1 that the training development program influence in Banks efficiency from human resource perspective.

So according to (Ulrich, D., & Wayne B, 2005 to improve and make better the performance and knowledge skills of employees' managers should focus in education program which should give the answer about how in particularly way the employees can easy influence in daily work activities and those education programs adopt to daily activities. Here, I have the similarity with theory which gave the right again to establish the H1 of this thesis.

According to, responsibility of choosing adequate training development program types which should influence in bank efficiency and regarding to question where I was found the compatibility with daily work activities and training. The managers of those banks are found the best way of training development program type evaluation. I can constant now that the connection between practically and theoretical approach regarding with managers responsibilities of choosing the training development program type.

Performance caused by training change development program

The employees of "NLB" bank seen that the performance caused by training development process of quality service increase the success in bank, they also have needs in the training development program for some seminars or trainings about how to make best service. So, according to Grönroos (2000) the training development program of quality service include the performing of ways to clients and costumer perceived of service after training development process can increase the profit of organization.

According to Damanpour and Aravind (J.Hage and M Meeus, 2006) the performance caused by innovation training development process in organization stimulate the growth and productivity not just in those organizations but also can develop other organization which are adopt to use them. It is very important for one organization to develop new ideas of making the product and services, because the new product or services for organizations can bring better position in market. With other words, if company creates a new product automatically gives other companies a positive infusion, because first of all, this new product could facilitate to the other companies for work or even for create a new idea of this innovative product or service. According to this the employees of "NLB" bank and "TEB" are signified that the performance caused by training development program of innovation as the main factor which can influence in bank efficiency and their professional development.

Satisfaction caused be training change development process

According to questions 5, 6 and 7 (Appendix B), we found out that the satisfaction caused by training development program is positive. Which means that workers in the banks are happy with training program, therefore, they are more productive in daily work activities. The satisfaction of employees is one of main component for successful daily work. Regarding to Petter, if in an organization is a high level of satisfaction, there will be no problem for future development of company. Through practical findings and theoretical approach, I conclude that the training and development process performance caused by training development process influence in bank efficiency

Conclusion

Since some years Kosovo Bank, are facing difficulties in many fields. Problems are found mostly in administrative sectors, encountering the lack of knowledge and experience. The main challenge is how to strengthen human the capacity and to identify what do employees need to be more efficient and qualified for daily activity performance.

The conclusion of this thesis work comes down to answer of Hypothesis 1, which in itself are still the elements of training development process and performance caused by training development program and both phenomenon's influence in efficiency on Kosovo Banks.

So regarding with particularly findings and similarities with theory I can conclude that the specific topics of training process can develop the human performance which can influence in bank efficiency. So one main topics of training program which influence in bank efficiency are training of negotiation performance, quality of service performance, flexible management performance and innovation performance. Those elements are really necessary for bank efficiency from human perspective. Also the training development process should give answers to daily work activities, because after those training the employees would be able to increase their job performance. Thus, they can build high human productivity in organization.

Since of modern aspect of economic activities today's in the world the human productivity is one of major resource which must be develop continually in the future. Like Kosovo banks and the European banks should involve the training program which should increase the productivity the meaning of this is that human resource is main of part for establishment for organization. So the training development program should be continues process to answer the market needs, also thus training programs should give a answer to clients needs in the future. So I can finally conclude that the training development program can influence in productivity on Kosovo banks and also the training program can increase the human productivity regarding with daily work activities.

Finally, I hope that I have given a modest contribution with my thesis and I have the road for another scientific researches work regarding this issue. This bachelor thesis focuses in Kosovo Bank and it could be useful for those, who are dealing with economic activities in this region and further scientific research. In addition, it can be useful for those who deal with the problem training development process of human resource

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BEKIM SYLA, DR. VELI LECAJ – FEMALE ENTERPRENEUR OF SMALL BUSINESSES CHALLENGES IN KOSOVO

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Abstract

It is evidently now-a-days women as entrepreneurs are moving forward in advancing the role in the process of improving the quality of work and increase business results, powered with comparative and competitive vigilance, firstly in terms of its position in society and secondly in their ability to absorb the challenges of business environment, participation in the market, and the possibility of more efficient business.
Based on these factors the promotion of female as owned of small business historically they had only ceremonial role but needs of the involvement of female skills and evolve its position encouraged all shareholders to ensure quality business, products or services with high quality and valued clients, which it achieved through a genuine commitment of women from inner and outer of the company, adding at the same time care instinct from female perspectives to their clients, managing current market share and enlargement of it in the market share.
To achieve this, women entrepreneurs are conscious how to do deal for beating the challenges, ensuring is motivated to work consistently and with enthusiasm for a qualitative change. Keeping in mind the role of women in SE (Small Enterprises) is important generator of economic development of a country and especially in Kosovo as a country in transition.

But the challenges of women in the organizations of SE in Kosovo are many, divulged from ranging from the most basic definition of the market share, unfair competition based on ignorance of the female gender, informal economy up to financial ability to create a steady operating environment.
As one of the most important challenges for women entrepreneurs is undoubtedly the ability to manage a business and care for the family evolved and Kosovar women are more career oriented in an harsh and dynamic environment, challenged to follow competitors with innovations and high-tech manufacturing products as well as communication, reducing entry barriers in some markets as a result of electronic business, the demand to respond quickly to customer needs, which requires not only supplement of functional and emotional needs, but also their spiritual supplement to the mind, spirit and heart.
Kosovar women today tend to manage small capital companies, production industry and services makes the possibility still challenging and perspectives of their development due to informal economy, unfair competition and the impact of economic development entity of Kosovo.

Keywords: Small Enterprise, Females in SE, shareholders, Organizational ability, and success factors, female participation, financing, competition, market, informal economy.

Entry

The private initiative of new entry businesses has increasingly taken place in post-war Kosovo, the SE have a very important role in the socio-economic creation of new jobs in situated of high unemployment rate.

SE's foundation and raising the level of entrepreneurial ability provides employment opportunities, which can help to reduce unemployment, in facing demographic challenges, increased social welfare, alleviating gender inequalities, reducing youth problems especially Kosovar youth which is growing fast. On the other hand the development of the SE sector can contribute to strengthening the

competitiveness between businesses from both genders and possible managerial and structural change. Such evolution of business promotes structural and technological transformation towards innovative approaches and their application in business either by men or women entrepreneurs. The women are engaged slowly but steadily in the business, as they initially are facing major difficulties, ranging from prejudice for their leadership skills, inexperienced in business, mentality of society which has made an impact very negative to businesswomen, so the access to funding sources, etc.
But over the years, especially over the last decade, there has been a greater impetus to their access to education, as the key point, and consequently their participation in women owned enterprises of Kosovo are engaged in a steady change toward their position in society. Despite many difficulties, they are being well received by business activities, but to a quite low degree compared to men111. It is worth mentioning that female entrepreneurs are essential for economic development of Kosovo which must be included in all spheres of society - government and private sector and which will contribute to the overall improvement of whether economic or social situation in urban and rural areas. There are major differences in terms of business ownership by gender. Statistical data show that only 6% of businesses in 2010 were owned by women, which is growing but not to desired level, to near 13% in 2014112, women owned businesses showing low level of activity of women entrepreneurs.
Registration, structure, concept of business and employment in Kosovo.

Table 1. Registered Enterprises in Kosovo according to the number of employers – 2010			
Company size	No. of emp. at business reg.	No. of Companies	Percent in total %
Micro	1—9	102,070	98.37%
Small	10—49	1,406	1.35%
Medium	50 --- 249	221	0.22%
Large	250 +and more.	58	0.06%
Total		103,755	100.00%
Source: Kosovo business registration Agency/Ministry of Trade and Industry, Kosovo			

Data from KBRA MTI, the number of private and public enterprises registered until December 31/2010 was 103,755, which employ 216,799 employers, or 62.24% of the total employed in Kosovo.

Table 2. Registered Enterprises in Kosovo according to the number of employers – 2012			
Company size	Nr. of Companies	Nr. of Employees	%
Micro	109,800	185,129	64.30%
Small	1,508	24,877	8.60%
Medium	224	22,411	7.80%
Large	58	55,658	19.30%
TOTAL	111,590	288,075	100.00%
Source: Kosovo business registration Agency/Ministry of Trade and Industry, Kosovo			

Table 3. Registered Enterprises in Kosovo according to the number of employers 2010–2012113			
Company Type	Nr. of Companies (2010 to 2012)	%	Nr. of Employees
Micro	7,730	98.66%	70,321
Small	102	1.30%	928
Medium	3	0.04%	27
Large	0	0.00%	-

[111] www.albinfo.ch/femrat-ne-kosove-ngadale-por-sigurt-ne-biznes/S1iF5c7V.dpuf
[112] http://www.eciks.org/repository/docs/Report_on_State_of_SMEs_in_Kosovo_2014_99378.pdf, page 18.
[113] Ibidem p.111.

TOTAL	7,835	100.00%	71,276

Data show that only during two years were registered 7835 new businesses among which micro businesses lead with 98.70%, followed with 1.30% small businesses then have 3 medium new businesses registered or 0.04% and no Large type of business registered. Also during this period should be noted that from the above data continually in 2010 - 2012 increasingly added 70276, the number of employers showing a slightly decrease of the unemployment rate in Kosovo114 (Lecaj,V.2015)

The term small enterprises, exempting those businesses with fewer than 10 employees, which today represent 90% of all enterprises and employing 1/6 of the entire workforce.
Kosovar women SE seek as the possibility as financing source and the chance to make a fortune. It is the place where creative and motivated women can fully use their talents and experience. It is the place where women aiming job opportunities and satisfying career. Every large successful start, starts as a small business. Women in SE are often very innovative owned company. They can launch new products, new styles and new promotional strategies. They provide a way for people to be "god" of their property.
The ability of women entrepreneurs happens when she develops a new enterprise, a new way of conducting business or developing old idea, adds the market a unique product or service, under conditions (terms) of the risk.
SE for women offers many existing opportunity. There is no question that small businesses will continue to play a vital role in advancing the position of women in society and in our economy. But to increase more chances for success, women are not overlooked by their inner instinct care to carefully analyze the advantages and disadvantages of SE.115

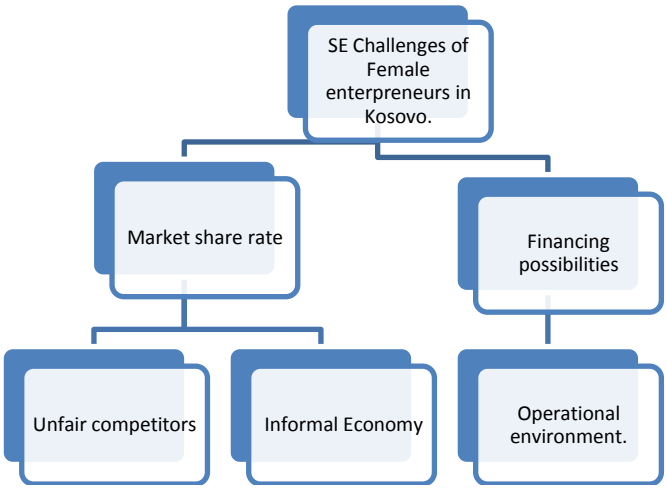

Figure 4. SE challenges in Kosovo

SE challenges of the owned woman enterprises to develop more has to do with the aspect of competitive and financial ability, it now faces the broad gender issues of SE in Kosovo. The scope of the definition market share rate has shown a persistent impact of development strategies and Business perspectives from which enables the recognizing market and taking nutritional information of operational of SE, because of such recognition makes it easier access of products that are placed and prosperous prospect innovative aspect of SE, but, according to this measurement barometers market share rate indicator is challenged by unfair competition and the informal economy which makes it difficult to develop propserues of women owned SE. With unfair competition we highlight the application of double standards for business entities based on their gender owned Enterprises that

[114] Lecaj,Veli. Product Policy in Kosovar Economy. 2015,p,113
[115] http://smallbusiness.chron.com/advantages-disadvantages-business-ownership-20258.html

operate in Kosovo, including regional and local level, to the challenges of this type occur mainly based on the applied taxes that have businesses against such Tax administration Institutions as well as cases in which the same businesses face institutional reluctance support the competitive aspect of the business.

Although, proclaiming that the institutions that deal with the management of the involvement of women as entrepreneurs have created and continuously are creating a quiet operating environment, in fact, these institutions undertake measures taht affec competitive rights of women owned business entities of the same level, and the climate to operate is not deliberately supported same in all regions all around Kosovo, but that it varies depending on the region and even the location of the business entities.116

Analyzing deeply the market share rate as the development challenge of SE, obviously needs to be addressed in terms of informal economy, according to barometers of "doing business" is not a small quote accepted publicly that the business performance of the informal Kosovo catch quota of 5% to the overall turnover, as for the quota of 5% would be acceptable, but we are in doubt that this quote is not real.

Today in Kosovo to register a new business you'll accomplish it in 15 minutes, and then the day later you are officially the owner of a business, but the question of operational and closing procedures, there are no data given by their agency management.117(Doing business report, 2015)

According to data analyzed by the BSC SME Survey 2011, 67% of owners have established their businesses based on their need to ensure basic existence, while only 33% of owners stated that their businesses are established by analyzing and identifying good opportunity to develop the business. According to the respondents in this research it emerges that: 55.97% of the founders of enterprises have had great experience for businesses which have opened, or 23.69% less experience and 20.34% started the business without any specific experience.118(ibidem)

The SE challenge and perspectives of women owned enterprises of their development in Kosovo becomes even more un-affordable when added to the financing possibilities, was also mentioned above, participation and operational environment has created diverse barriers as the institutional as well as practical, so women owned enterprises in Kosovo faces a big question, whether to walk away, either with modifications and innovations or flounder in the way of its prosperous development.

New Women entrepreneurs have a uncertain journey due to the lack of funds flow in the market and the majority of the population so they are mainly orieneted at providing the most important products for them, thereby meeting consumers' needs not sustainable though, because their needs change towards their revenues, every day in Kosovo is decreasing more as a result of the fluctuation of money and their absorption ability within Kosovo, while on the other hand, subsidies do not meet the requirements of many of the entrepreneurs of SE in Kosovo .

Conclusions

Finally we can conclude that the central government in cooperation with the local government was facilitating the right steps for the registration of small business for women entrepreneurs but not for their ease of operation in the market by not offering them the necessary support to increase, which, as was seen in this work suffer from space to work, unfair competition, lack of support in the advancement of their staff, subsidizing their products and so on, not forgetting that this kind of the business has a significant number of employees and affects more than public sector to alleviate unemployment.

[116] http://www.ebrd.com/downloads/country/strategy/kosovo-strategy-albanian.pdf, p 9-11.
[117] http://www.doingbusiness.org/~/media/giawb/doing%20business/documents/profiles/country/KSV.pdf, p 16-23.
[118] Ibidem, p.30.

From the analysis discussed in this paper noted that new women entrepreneurs mainly derived from their experience in large corporations and public sector organizations that use the climate created and circle of acquaintances to advance their business.
We tried to give answers that small business is not in a desired situation and their position every day is moving with unsure steps toward that women will be encouraged to own a SE, as also mentioned by foreign and domestic institutions dealing in this field, and also various programs encourage women through the promotion and grants are mostly for the female gender in business.
From this work we learned how to diverse business and what are the criteria for a business to be characterized as a small business that is based on the number of employees and on the basis of industry in which those businesses doing business.
We learned which institutions are dealing with the economic issues of this kind of business such as, KBRA, TKA, USAID, the American Chamber of Commerce, Kosovo Chamber of Commerce and other chambers, and what are the opportunities offered by these institutions to get information or from their published reports have access to information to women business environment, the most valuable contribution is providing World Bank report "Doing Business" that provides undisputed assistance for published information that were used to compile the analysis of this paper.
Special emphasis aspect has been paid of registration and changes that can be updated through KRBA, so it has been given the necessary space and the right to understand what is the steps to follow for women not to feel inferior in such cases.

Recomandations

It is recommended that the application for registration of women owned to be done electronically and access to information about the type of business to be updated by KBRA, which will further facilitates faster information and the rights of women owned SE. It is recommended that TAK facilitates application and training of female owner for the applicable taxes on their activities.
It is recommended that the central institutions have on their agenda not only moral support but also concrete for women entrepreneurs in small businesses, and for all employees of these businesses to have exemptions encouraging women to increase the number of employees and registration of businesses by groups of persons with disabilities, and women from minorities.
It is recommended that the Finance Ministry not to allow Kosovo oligopoly markets which in this way will reduce the opportunities to enter the new women owned business.
It is recommended on organizing a campaign to strengthen the role of women in the construction and development of stable enterprises. It should be organized and conducted training on the importance of strategic operational planning and women in economic activities for longer periods of time that would result in positive effects for the continuation of existing business, change of business and complete it with new activities, and expanding its business of fulfillment of new activities.
It is recommended to start with the application of incentive measures by the government for women owned enterprises which their main product is for export, such as the simplification of bureaucratic procedures, reducing customs tariffs, to organize campaigns in informing the women entrepreneurs with regional and international markets, signed agreements by the government of free movement of goods, improvement of road and railway infrastructure, incentives for women owned enterprises to enhance the quality of products of made in Kosovo. Attention should be dedicated to strengthening economic relations with other countries of the region, in order to create favorable conditions for women owned enterprises to penetrate the local products in the regional markets and the European Union.
Women owned enterprises of the Republic of Kosovo need to establish mitigation measures for foreign investors, including the simplification of administrative procedures of licensing of international companies that express interest to promote women as entrepreneurs in our country.
If the Government can’t support it, at least work closely with creditors that deadlines for repayment should be extended, and should be applied more reasonable interest rates policy, also the assiduity to treat women equally in their financial analysis.

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SKERDIAN KURTI – THE ACCESSORY PENALTIES FOR INDIVIDUALS AND THEIR EXECUTION ACCORDING TO THE ALBANIAN LEGISLATION

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Abstract

Additional penalties, means the type of punishments that may be awarded by the Court against those guilty, as a rule together with major penalties. Accessory penalties can be viewed in two perspectives: the mitigation of punishment if the court with the fulfillment of certain conditions set just giving punishments; the intensification of punishment the court alongside the main sentence gives and punishment in order to realize more fully the purpose of punishment. The goal of treatment of this topic is the most complete knowledge of punishments considering the achievements and the need for changes in terms of criminal justice and for a more efficient operation in the implementation and establishment of an appropriate system for control over their implementation in practice.

Keywords: Albanian legislation, criminal law, the principal penalty, accessory penalties, the execution of sentences, jurisprudence.

Introduction

The road towards improving the future passes through the recognition and evolution of the past. For this reason we present below a brief picture of the punishments prescribed in criminal codes that are implemented in different periods which passed albanian criminal law.
So in the Criminal Code of Zogu119 additional punishments have these types: article 25 (confiscation of property), article 27 (loss of rights), article 28 (loss of electoral law), article 29 (removal of honorary titles and decorations), article 30 (prohibition to state or social duties assigned), article 31 (loss of the right to retirement), article 32 (loss of parental rights), article 33 (prohibition of carrying out a specific activity).
In 1952 the Criminal Code came into force built according to models Eastern countries and based on the policy of the ruling party to lead and guide the entire life of the country120. Additional penalties provided for this code were the same as those provided by Code of Zogu.
Later, in 1977 the Criminal Code came into effect, which was more closed than the previous code in terms of contemporary orientations of criminal law121. In this code envisioned these kinds of additional punishments: article 23 (removal of honorary titles and decorations), article 24 (abolition of the right to vote), article 26 (deportation), article 27 (deportation). There is a difference in the number of punishments towards their reduction compared to the previous codes.

Additional penalties in Criminal Code of 1995

The Albanian criminal code came into force with the law nr.7491, dated 31.5.1995. Given that in this period the criminal and legal opinion began to unload from political influence, the analysis of the causes of crime and punishment policy underwent significant changes. Gradually begin to appear opinions and more consolidated as such abolition of the death penalty122 and replacing it with life imprisonment, the introduction of new measures of punishment etc.

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[119] Gjilani, Feti. *State and right during the regime of Ahmet Zogu: History of state and law in Albania (Shteti dhe e drejta gjatë regjimit të Ahmet Zogu: Historia e shtetit dhe e se drejtes ne Shqiperi)*, (Luarasi Publishing, 2001), 387.
[120] Elezi, Ismet. "The leading role of the party in the criminal law of the People's Republic of Albania" (*Roli udhëheqes i partisë në të drejtën penale të Republikes Popullore të Shqipërisë)*, *Drejtësia Populllore* 1 (1972): 3-10.
[121] Elezi, Ismet. "New Criminal Code reflects the main orientations of the party" (*Kodi i ri Penal të pasqyrojë orientimet kryesore të parties*), *Drejtësia Populllore* 2 (1968): 21-30.
[122]The death penalty was provided by the criminal codes years 1928, 1952, 1977.

Even in the new criminal code, from a structural standpoint, maintaining the traditional form, that of the classification of sentences in two groups: group of sentences in major penalties for persons who have committed crimes and grouping the main penalties for persons who have committed offenses. Likewise are grouped and additional penalties for persons who have committed various offenses. This code provides the following additional penalties: a) the prohibition of the right to exercise public functions; b) confiscation of assets the offense and the proceeds of crime; c) prohibition on driving; d) removal of decorations, honorary titles; e) removal of the right to exercise a profession or skill; f) removal of the right to undertake leading to juridical persons; g) prohibition to stay in one or more administrative units; h) expulsion from the territory; i) the obligation to publish the court; j) loss of parental responsibility.

There is an increase in the types of punishments. In this penal code compared to the previous, although we almost identical structure of the system of penalties no more talk of species such criminal penalties socialist character as punishment reeducation through labor or social reprimand.

As amended by law nr.9086, dated 19.06.2003 and nr.9275 dated 16.09.2004 article 35 has changed, being called the "abolition of the right to exercise public functions" while ago called "deprivation of the right to exercise state functions". So is expanding the concept. This change is not formal. It has effects on implementation, as the circle of persons to whom it may apply additional measure expands.

All punishments, as a rule are given along with the main sentence. However under-priority paragraph of article 30 of the criminal code, the Court, in exceptional cases, when giving punishments deemed to be inappropriate and when the law provides for imprisonment up to 3 years or other penalties easier for the offense committed, can decide only the supplementary sentence.

Prediction of this possibility of implementing additional sentence instead of the main sentence, is another phenomenon of liberalization of punishment in the criminal code.

By the law nr.23, dated 01.03.2012 "Amendments and additions to the Criminal Code", article 30 is added to the content item 10 "Loss of parental responsibility" and after article 43 added to article 43/a with this content "Loss of parental responsibility given by the court against a person who exercises parental responsibility when he is sentenced as author or accomplice in an offense against a child or as a collaborator with the child in the commission of a criminal offense".

Explanation of additional penalties and judicial practice issues

a) Deprivation of the right to exercise public functions. On top of punishments is the removal of the right to exercise public functions123. This kind of punishment implies that the person who committed the offense, the Court's decision removed the right to exercise public functions. Deprivation of the right to exercise public functions may be given for a period to be determined by the Court's decision. Thus, removal of the right to exercise public functions, for a period not less than five years, must be given to the person who has committed a crime related to the task, by abusing the public office or has committed a crime for which court imposed a sentence of imprisonment of not less than ten years. While under the second paragraph of article 35 of the criminal code, the court has imposed a sentence of five to ten years, in addition to his sentence can implement the removal of the right to exercise public functions for a period of three to five years, and the Court has imposed a sentence of up to three years in prison, this sentence can be given for a period of one to three years.
When punishment is given together with the penalty of imprisonment, its implementation begins after the person has served a prison sentence124.

[123] Elezi, Ismet et al., *Commentary of the Criminal Code of the Republic of Albania: The general part (Komentari i Kodit Penal të Republikës së Shqipërisë: Pjesa e Përgjithshme)*, (West Print Publishing House, 2009), 215.
[124] Decision nr.1021, dated 10.07.2008 of Tirana District Court: Court based on articles 379-384, 390, 190 of the Penal Procedure Code decided: a) Declaration of the defendant XY guilty of the crime "*Theft through abuse of office*", based on article 135 of the criminal code, sentencing him to 1 year and 6 months imprisonment; Pursuant to article 35 of the criminal code, setting as punishment "removal of the right to exercise public functions", for a period of 2 years; b) Declaration of the

b) Confiscation of assets the offense and the proceeds of crime. For the first time, along with additional new penalties foreseen the punishment of confiscation of the proceeds of the offense in article 36 of the criminal code125. In previous codes, this kind of punishment was provided only as a procedural, which dealt with the decision by the investigating body, and eventually to uphold its resolve Court in its final decision. Through the changes made in 2003126, the legislator has provided in paragraph 2 of article 36 of the criminal code to include not only the seizure of the means of committing the offense, but also the products derived from the commission of the offense. The purpose of this add-on is to combat organized crime, and especially economic. He must be given to the court and consists of reception and transfer to the state of things that have served or are given as means to commit a criminal act, the products of any property, document or legal instrument that proves executive titles, reward, database or promised, as well as any other property, the value of which corresponds to that of the proceeds of crime, items, production, possession and use of which constitute a criminal offense127. Given that the offense products often transformed, cleansed and transformed into other assets, the criminal code allows for the confiscation of them, even when it is united with real estate acquired legally. In this case the rate of seizures is up to the value of proceeds of crime. Subject to confiscation are also income or other benefits from the products of the offense, transformed or converted128.

c) Prohibition on driving. The punishment provided for in article 37 of the criminal code, finds wide support and implementation in practice129. This provision of the criminal code has specific purpose educational and preventative. The ban on driving given by the Court for a time from one to five years, and implemented after the main penitentiary sentence. According to the content of article 37, it appears that this sentence can be given to the principal punishment to persons who have committed a criminal offense, when considered appropriate by the Court that he would have a preventive effect, or agree with the nature of the offense, especially with the consequences of income.

d) Removal of decorations and titles. According to the first paragraph of article 38 of the criminal code, it is understood that the removal of decorations and honorary titles is mandatory or optional

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defendant AB guilty to committing the offense "*Abuse of office*", based on article 248 of the criminal code, sentencing him to 1 year and 6 months imprisonment and a fine of 300,000 lek; Pursuant to article 35 of the criminal code, setting as punishment "*Removal of the right to exercise public functions*", for a period of 2 years.

[125] Elezi, Ismet et al., *Commentary of the Criminal Code of the Republic of Albania: The general part (Komentari i Kodit Penal të Republikës së Shqipërisë: Pjesa e Përgjithshme)*, (West Print Publishing House, 2009), 217.

[126] The law nr.9086, dated 19.06.2003, has changed article 36 of the criminal code.

[127] With the changes made to this section by law nr.9086, dated 19.06.2003, the circle of objects that can be seized is expanding.

[128] Shkodra district court in its decision nr.388, dated 15.10.2008 has decided on the basis of articles 112 and 390/1 of the code of criminal procedure: Declaration of the defendant AB guilty for the offense of *"Production and illegal possession of weapons"* provided by article 280 of the criminal code and sentencing him to confiscate hunting weapon (shotgun) nr.92003022, 12 mm caliber, seized records dated 27.06.2008 as punishment.

[129] Decision nr.112, dated 03.02.2012 of the Court of Appeals of Tirana: Tirana District Court, criminal decision nr.1125, dated 11.07.2011 has decided: a) declare the defendant AB guilty for committing the offense of "*departure from the scene of the accident*" and under article 273 of the criminal code sentencing him to six months imprisonment; b) on the basis of article 406 of the penal procedure code sentencing him to four months imprisonment; c) suffering the punishment starts on 24.03.2011; d) pursuant to articles 30 and 37 of the criminal code sentencing complementary "*driving prohibition*" for a while until a year after commensurate with the nature of the offense. Tirana Court of Appeal notes, criminal decision nr.1125, dated 11.07.2011 of Tirana District Court is based on evidence of the law as to the legal qualification of the offense, conviction and punishment measure. This decision must be annulled concerning the supplementary sentence because it is not based on legal requirements, and as a result the decision in this section should be annulled. In article 37 of the criminal code provides that: "*The ban on driving imposed by the court, for a period of one to five years, against persons who have committed a criminal offense, when it is deemed that will have a preventive effect or nature of offense*". To implement this provision requires completion of two conditions: a) preventive effect; b) compliance with the nature of the offense committed. In the case in question, the Court has interpreted this provision no legal right and as a result of the defendant's fixed punishment. The offense for which he was charged and convicted the defendant AB (article 273 of the criminal code), it is not such as to allow the Court to the supplementary sentence. In the reasoning of the court decision reflected the fact that there has led the Court to conclude the assignment of punishment. Court of Appeals of Tirana, based on article 428 letter "a" and "c" of the penal procedure code decided to uphold the decision nr.1125 dated 11.07.2011 of Tirana District Court regarding the legal qualification, guilt and of punishment for the offense provided for by article 273 of the penal code. Annulment of the decision and dismiss the case on the part of the conviction

measure that can be taken or not by the court for persons who have committed a criminal offense punishable by imprisonment. The court in this case considers that keeping decorations and honorary titles agrees or not with the nature of the offense committed. So for example for offenses against morality and dignity, for theft and fraud, smuggling, abuse of office may be granted by the court such a sentence.
In the second paragraph provided that the removal of decorations and honorary titles is permanent when a person convicted of a crime over 10 years imprisonment, while the person is sentenced to ten years imprisonment imposed by the court as a measure of one to five years.

e) Deprivation of the right to exercise an activity or trade. Deprivation of the right to exercise an activity or skill may be granted by the Court as punishment, banning convicted of carrying out the activity or workmanship for which was given special permission, authorization, or license from the state competent authority. This kind of punishment is optional and left to the price of the Court, which accordingly can give or not this kind of punishment, as to persons who are employed by the State and to those who exercise private subject only to have embezzled it. Granted for a period from one month to five years

f) Deprivation of the right to exercise managerial duties. This punishment is provided in article 40 of the criminal code130. If the court gives such a penalty, director, administrator or developer does not have the right to exercise these functions, or any other task that has to do with the quality of the representatives of the legal person.
This punishment is for a limited time, from one month to five years and by the third paragraph for a period of five to ten years, when it was condemned by the Court not less than five years in prison, more offenses which the convict has abused charged or has acted contrary to the rules relating to the duty charged by these persons131.

g) Prohibition to stay in one or more administrative units. From the content of article 41 of the criminal code observed that in a moderate way is restored punishment of expulsion132, the previous criminal code but with another formulation. Prohibition to stay in one or more administrative units given by the Court when it considers that the attitude of the perpetrator who has committed a criminal offense in one or several specific administrative unit is dangerous to society. This is potentially dangerous, because the attitude of the guilty in this or that administrative units deemed that creates opportunities for committing offenses other via links, recognition or friendship that may have with other people. This punishment is given by the court for a time from one to five years, as a rule against those persons who have been convicted of theft, smuggling, drug abuse, public disorder, etc. When the sentence is given together with the penalty of imprisonment, its implementation begins after the person has served a prison sentence.

h) Expulsion from the territory. The article 42 of the criminal code also include one kind of deportation133 for people with foreign citizenship or stateless who commit crimes, taking it expulsion from the territory of the Republic of Albania.
Expulsion from the territory is the feature that distinguishes from that provided in article 41 of the criminal code:
- First, extraction placed outside the Republic of Albania and not limitation of residence in one or more administrative units.

[130] By law nr.9275, dated 16.09.2004, Article 40 is added a third paragraph.
[131] Decision nr.120, dated 14.05.2007 of Vlora District Court: The Court, under article 390 of the penal procedure code, declares the defendant guilty of the offense of abuse of power under article 248 of the criminal code punishes with a year imprisonment, while pursuant to article 30/6 and article 40 of the criminal code defendant is deprived of the right to exercise managerial duties at legal persons for a period of 2 years.
[132] Punishment of expulsion envisaged in the previous penal codes as: code of Zogu (article 22); 1952, criminal code (article 22); 1977, criminal code (article 26). Criminal code of 1995, this sentence comes with another formulation.
[133] This kind of punishment for foreigners or stateless who commit crimes in the Republic of Albania has been provided in previous codes (1928, 1952, 1977) in the provision of deportation.

- Secondly, expulsion from the territory of the Republic of Albania decided by the Court only to foreign nationals or stateless persons and never to Albanian citizens.
- Thirdly, this kind of punishment is given to foreign nationals or stateless persons, who have committed crimes and criminal offenses, deemed that their further stay in the Republic of Albania should not continue on in the future.

According to the last paragraph of article 42, when the foreign citizen or stateless, acquires Albanian citizenship under the law, his request is the same court that issued revoke his decision outside the territory.
When the sentence is given together with the penalty of imprisonment, its implementation begins after the person has served a prison sentence.

i) The publication of the judicial decision. This is a sentence that is provided for the first time in the system of penalties in section 43 of the criminal code. With this sentence, the convict is obliged to make known its spending more on mass media content in full or in part of a judgment given by the Court. This obligation shall be determined Court in its judgment set and term of this publication. The court also determines the date of publication. Publication is granted when deemed that have to do with certain circumstances the law itself mentions in its content. These circumstances deem appropriate by the Court.

j) Loss of parental responsibility134. From the content of article 43/a of the criminal code shows that in a moderate way is restored punishment of loss of parental rights, the previous criminal code (code of Zogu and the criminal code of 1952)135, but the other formulation.
The Court decided the loss of parental responsibility to the person who carries it when he punished as the author or accomplice in an offense against a child or as collaborators with the child in the commission of an offense.
Parental responsibility provided as such in article 215 of the family code. There are two terms that uses the family code in respect of parental responsibility: a) loss of parental responsibility136; b) removal of this responsibility137.
Loss of parental responsibility is the result when the perpetrator of a criminal act directed against the child shall be punished. In this case he loses parental responsibility. While the removal of parental responsibility is provided in a separate provision of the family code, article 228138. Removal of parental responsibility can ask relatives of the child, but may also require the prosecutor.
Setting this punishment comes bearing in mind the situation in albanian legislation, Albania's obligations under the conventions ratified. The purpose of this sentence is to protect the interest of the child.
In November 2010 we adopted a law to protect the rights of the child. In this law have provided special protection of children's rights and has a chapter which deals with the care that can be provided to a child. I mention this law, because having this law and the establishment of mechanisms for the protection of children in the local and national level gives the opportunity to resolve concerns in practice alternative care for children.
There will be difficulties in implementation in practice of this punishment by the court. The difficulty that confronts a criminal court is that it will have to adjust to the consequences and the need to determine where the child should stay and which is the most convenient arrangement for the child, something a criminal court cannot make it to the end of a criminal trial. The court will punish the

[134] Parental responsibility includes the entirety of the rights and duties that are intended to ensure emotional, social and material of the child, caring for, keeping personal relations, ensuring proper growth, education, legal representation and administration of his estate.
[135] Code of Zogu and the criminal code of 1952 predicted the loss of parental rights to this content: "The court may decide the loss of parental rights of prisoners only when he sees that he has abused those rights. Loss of parental rights granted for a period of one to five years".
[136] Article 223 of the family code.
[137] Article 228 of the family code.
[138] When the parent abuses parental responsibility or shows negligent in its exercise, or his actions adversely affects a child's upbringing, at the request of the other parent, the child's relatives or the prosecutor may be removed parental responsibility. The removal of parental responsibility made by the court, citing as Indicted parent, which requires such removal.

offender, then the parent, and with the main sentence will give punishment. Here ends the work of a criminal court. How to deal with the solution of further consequences, because it may be one or more children? Normally, the Court should investigate for children, for their condition. This is not regulated procedure codes and will lead to an inability or these kids will fix just in decisions, but will not be adjusted in nature. So changes needed for enforcement of the code of criminal procedure.

Execution of Accessory penalties

Under article 468 of the criminal procedure code, for the execution of punishments prosecutor sends shortening the sentence judicial police bodies and other interested bodies139. While under article 34 of the law nr.8331, dated 21.04.1998 "On Execution of Penal Sentences" amended (EPS), the main punishment was given, together with the executed and punishments prescribed by paragraphs 2, 4 and 9 article 30 of the criminal code. Additional penalties executed after the main penitentiary.

Prohibition of the exercise of state duties (article 41 EPS)140. Punishment of prohibition to exercise state functions or public service, implemented by the body that appointed or who has entered the convict labor relations, with the dismissal of relevant, respecting the legislation. When the employment relationship is created by choice, the decision is executed by competent authority. When public service assignments conditional on licensing, executed by the decision to grant the license.

Execution of sentence confiscation (article 40 EPS). Criminal decisions that predict forfeiture of benefits derived from the offense, applied by the competent execution under the provisions of the code of civil procedure for compulsory execution. The bailiff in the execution of the decision is not limited to objects seized, but all facilities and benefits clearly defined in the Court's decision141.

Prohibition on driving (article 37 EPS). For additional execution of sentence on driving prohibition under article 37 EPS, police authorities withdraw convicted order as long as the evidence has established the Court. Police rule turns the ability testimony before the deadline fixed by order of the prosecutor or other competent authorities, as provided by special law.

Removing the decorations or the securities (article 36 EPS). For decisions that contain punishment of removal of decorations and honorary titles, the prosecutor sends the execution order has granted authority to award or title and copy of the decision, asking to be related records, badges and sign the withdrawal of testimony original by the convict. When because of decoration or title privileges or benefits, the abovementioned notify relevant authorities for their termination.

Prohibition of the exercise of an activity or skill (article 42 EPS). Removing the possibility of exercising the profession accomplished by the removal of a license or permit granted and executed by the body that has given permission or license. For the prosecutor issue of the writ and sends the body that has given the license or permit. The latter informs the financial authorities of the decision taken by the Court.

Deprivation of the right to exercise managerial duties (article 43 EPS). This penalty shall be executed by the body that has such a right under the statute or the relevant rules and notify the competent financial.

Prohibition of residence (article 38 EPS). Order executed by police order, which takes measures to prevent the entry of prisoners in a unit or its removal from the unit is found. To achieve the implementation of this measure police have the right to make inspections or take other actions defined

[139] Kurti, S.. "The importance of respecting the procedure for the execution of the penal verdict 153". Paper presented at the International Scientific Conference Rule of law in Albania: Challenges and perspectives, Tirana, Albania, 15-16, May 2014.
[140] Article 35 of the criminal code which provides for this measure, was redesigned by article 5 of the law nr.9275, dated 16.09.2004, while article 41 of the law "*On execution of court decisions*" has remained unchanged. Consequently we have two different names of the measure
[141] Hysi, V.. *Penology (Penologjia)*, (Kristalina-KH Publishing, 2012), 147.

in the law, which enable the person seeking forbidden territories. The law provides for the establishment of facilities for the convict who is a single parent and minor child. In such a case, to accommodate child custody charged the council.

Expulsion from the territory (article 39 EPS). The sentence extraction outside the convict executed by the deadline set by the prosecutor in the order of execution, on the contrary rules of compulsory execution. When the inmate has been the main jail sentence, extraction outside the prison police executed immediately upon completion of the main penitentiary. When the convicted person cannot return to the country whose citizen is either in another state, the prosecutor is obliged to provide access to his land or visa, otherwise submits a request to change the punishment. In any case for foreign nationals convicted through the Ministry of Justice prosecutor informed the Ministry of Foreign Affairs to order the execution of the sentence.

Obligation to publish the decision (article 44 EPS). In the execution of this decision, the Prosecutor shall make available the full text convicted or its extract as determined by the court. The convict is obliged to publish, at its own expense, in one or several media outlets in the time and manner specified in the decision and, when there are obstacles, requiring the intervention of the prosecutor. When the body is expressly stated by the Court, argues for reasonable cause or publication in the body is impossible, the prosecutor asks the Court to amend the decision, otherwise the prosecutor determines its own method of publishing.

Conclusions

At the conclusion of this paper can reach some conclusions regarding punishments. We said that as a rule punishments given together with key sentences. However in the last paragraph of Article 30 of the Criminal Code made an exception to the application of additional punishment itself. Forecast such a space legislator has limited the competition of two conditions:

- The first condition is taxation, so that the criminal offense provided for a sentence of no more than three years in prison;
- The second condition is entirely in the subjectivity of the panel, which has a duty to ascertain that the granting of only one punishment will achieve the purpose of punishment the prevention of special to the offender. Prediction of this possibility of implementing additional sentence instead of the main sentence is another phenomenon of liberalization of punishment in the Criminal Code.

In the Criminal Code ten (10) additional penalties, but not all of these penalties are applied in practice, or their implementation is not effective. In many cases, the Court gives only the main sentence unaccompanied by punishment when the nature of the offense committed and wants to do so or provides key sentence in those cases where the conditions for granting just punishment. There are problems and in terms of control in relation to their application in practice.
An honor punishments applied very recently is the removal of the right to run vehicles as punishment given separately or together with the main sentence. Implementation of this sentence has come as results of the large number of accidents that occur because not apply rules of the road.
Also find wide application and other punishments such as seizure of the means of committing the offense and its products, the abolition of the right to undertake leading to juridical persons.
A new sentence was added to complement the list of punishments provided by law 23/2012 is the loss of parental responsibility. This proposal comes given the situation in Albanian legislation, Albania's obligations under the conventions ratified. Of course, the proposal is a logical and valuable, because it is logical to protect the interest of the child by a parent who has abused against him, by not allowing the parent to continue to exercise its rights and obligations as a parent to this child. The problem arises from the fact that the can a criminal court, which considers the parent as the author of a criminal offense, give as punishment loss of parental responsibility? I think this is unlikely, if not impossible for the criminal courts, because the removal or loss of parental responsibility is part of a separate judgment, which is regulated in the rules of the Code of Civil Procedure. The difficulty that confronts a criminal court is that it will have to adjust to the consequences and the need to determine where the

child should stay and which is the most convenient arrangement for the child, something a criminal court cannot make it to the end of a criminal trial. The court will punish the offender, then the parent, and with the main sentence, will give punishment. Here ends the work of a criminal court. How to deal with the solution of further consequences, because it may be one or more children? Normally, the Court should investigate for children, for their situation and I think that just criminal process does not give this access. This is not regulated in the criminal procedure code or the law "On Execution of Penal Sentences". Thus will lead to an inability or these kids will fix just in decisions, but will not be adjusted in nature. So no need for changes to the criminal procedure code and the law "On Execution of Criminal Decisions" in order to implement this punishment. So it remains to be seen how it will be implemented in the following sentence.

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PROF. ASS. DR. VJOLLCA HYSI, DR. IRMA SHYLE – EXPERIENCE DURING THE COURSE AND SUPPORTIVE LEARNING ENVIROMENT- AS AN IMPORTANT ELEMENT THAT AFFECT IN LOYALTY AND BUILDING OF CAPITAL OF UNIVERSITIES' BRANDS

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Abstract

Approach with the consumer as a discipline is also in compliance with Kotler and Keller's description (2006) for modern organizations oriented by the consumer, in which managers and staff in general regardless of their status in an organization should be engaged in introduction, meeting and fulfilment of criteria of consumers personally. So that, new generation universities show a need of focusing on establishment of long term relations with its students. This can affect in students' loyalty to their universities. During the student life there are numerous situations where a student may feel stressed. In particular for this reason they are looking for a university supportive learning university environment which reduces stressing factors. A supporting organizational culture describes a perceived organizational concept. This environment is characterized from: support of hard work, there is an opened communication between employees, trust, innovation. Students may be seen from two different views, they me be university clients, but also employees in a sense of professional practice, in which they get equipped with knowledge certificates and gain different abilities. In this way students are an active part of the service distribution process. The concept of organizational support perceived by a student's view in a university context is unique and complex as the relation student – university is double.
From a student's perspective, the degree in which a university evaluates contribution of its students is returned with the same measure through loyalty and conversion in his loyal advocate at other persons. In correlation of emotional relation of students with the university may affect supportive and contributory academic personnel which include: library, computers, advisors etc.
In this article will be treated literature as well as a concrete study in relation with the experience during the university of Albanian students, in particular if that experience represents a supportive environment of learning. Identification of supportive factors perceived in a organizational way which is called a supportive environment of university learning. A supportive environment of learning is described from three elements: organizational support, community of learning and academic support.

Key words: loyalty towards the brand, organizational support, learning community, academic support, university

Perceived organizational support

Eisenberg (1986) describes the organizational perceived support as a perception of employee about evaluation of his from the company for the provided contribution from them as well as the perception about the fact that the organization is preoccupied for their welfare.
Valentine, Greller and Richtemeyer (2006, p.587) say that: Organization can build positive perceptions at the employees in their working places stressing ethical practices which support the welfare of interested parties and which increase the interpersonal harmony and organizational value. The same thing in a university environment where universities may increase positive perceptions at students stressing ethic practices that support students. This sort of practices may include supportive services like: libraries, computer and technological services, career advises and learning supportive services. This increases university values and as a consequence also perception of students for the

quality of their experience. In this way could be increased consumers' loyalty in respect to the university.
In the university context the organizational perceived support may be determined as an offer of challenging materials during the course, opened communications channels among students and personnel in order to establish on educational supportive environment and engagement of students on recommendation of university at their social circle. According to Mackenzie (2006) organizational civic behaviour is described as assistance and realization from personnel. An example of the assistance by staff is: the assistance provided to a new staff to learn the work or assistance towards an employee at work in order to catch the course of work or to resolve the problem.
It has been argued by Podsakoff, Mackenzie (2000) that the issue of citizenship may be categorized in seven dimensions: helping behaviour, organizational loyalty, organizational compliance, individual initiative, civic virtue and self-development. Podsakoff determines dimension of helping behaviour of organizational citizenship like: helping on voluntary basis of the others or prevention of appearing problems related to the work. So helping others with daily problems related to the work which includes the administrative supporting personnel that assists students with concerns and daily requirements. Examples could be: availability of lector, issue of working hours, providing of assistance to have access in internet, providing of passwords with email etc. Prevention of creation of problems, half of the part of dimension of assisting behaviour in relation with student – university is referred minimization of concerns at students and supportive university staff. As examples we can mention here: university administrative staff who notifies students that their studying time has been cancelled, notification for change of venue or time of lectures, library staff can notify about the change of regulation of borrowing books, operation hours, and supportive services like trainings.
Students may be seen in an analogue role with that of employees. Students will feel a kind of obligation in relation with the services and support provided by the university to refer it. Students' perceptions for the university support that could include learning support in a university community as well as an academic and administrative support personnel can increase connection of students with university. Students' experience can be improved also as a consequence of their perceptions about the dedicated personnel.
Powerful relation with an emotional devotion, job satisfaction, good mood, willingness to stay at the company in this way employees return this care to the organization in this way increasing assessment for it, emotional link, performance and loyalty. (Rhoades and Eisenberg 2002, p.710). The term of emotional link with an organization suggest that the organizational perceived support may be related with the organizational civic behaviour.

Learning community.

According to Burgoyne and Reymolds (1997) the term learning community: it is an umbrella to describe learning situations where a group of people come together to meet specific and unique learning needs and to share resources and skills.
Typic mission of a learning community is to establish a community sense. Some of the aims of learning community are: to include and evaluate diversity, to share culture, to increase internal communication, to promote group work, trust and care, to include maintenance processes and governing structures, to take care for development of youth, and to have contacts with environment around (Scharff and Brown 2004).
Dillon (2003) agrees that learning community is composed of three social, academic and physical elements. He describes the academic element as teaching and curriculum, social element as an interpersonal relation placed between members of community and at last the physical element as a current place where the community lives and learns. These elements are designed in that shape in order to interact with each other and to facilitate the professional, ethical and civic development of students.
Community success of learning is on trespassing of boundaries of traditional university. This community opens a challenge for high education model which in its first plan has organization with departments and specialization, classroom of the format lessons exams and a minimal contact with the environment around (Dillon 2003).

Another way of conception of learning community has been presented by Willitis (1996), who stresses that there is an entirety of principles for a learning community, placed by Boyer, a head of foundation for development of learning. There have been proposed six principles in regards to social and academic dimensions of the student life in universities. These are: a community that has a specified aim, an opened community, an amicable community, a celebrating community, simply communities and a disciplined community (Moore 1995, 1998, 2001).
A raised community with an aim is that, where the intellectual life is the main issue and where students and faculty work together to strengthen teaching and learning. An opened community is characterized from the opened, honoured community, where the freedom of speech is protected without a compromise and there is asserted good behaviour (Willis et al. 1996).
A disciplined university community is described as a community where individuals accept their obligations in regards to the group and where the well determined procedures of steering lead to the behaviour in order to achieve the joint goal. The place where the welfare of individuals is supported and the service towards the others is encouraged – is determined as a community of taking care (Boyer 1990). The last determination is explained as a community where heritage of institution is reminded and there are rituals that assert tradition.
Banta (2001) describes community in a practical way, bringing students together and encouraging the relations among students and in the same way they will start to work on academic issues within classrooms as well as out of those. The tendency is to include less than 25 students in classrooms, in order to stimulate the interaction faculty student. Students become more active in the learning process and spend more time studying and thinking for intellectual concepts.

Academic support (good teaching)

There are some universal principles of teaching, which engage students with tasks of teaching in specified levels. Tang and Bings (1996) add that students will do to perceive that which is requested by them, so that teachers should make clear teaching and learning requirements for students.
Ramsden (1991) stressed that there have been made efforts to identify and clarify a preferred teaching method. He has included six principles as necessary for an effective teaching in a high education level. These principles include: interest and explanation, preoccupation and respect in regards to the student and his learning, proper evaluation and feedback, clear purposes and intellectual challenges, independence, control and active engagement and study from students. According to Martens and Prosser (1998) security of quality of teaching and learning may be characterized as: a based access in the security of subject as a whole, not only teachers are contributing for improvement of teaching students during the time. In this way good teaching is seen as an increase of teaching between a student and subject and not only as terms of the way how the personnel performs individually. Recently, the focus is in continuous improvement of teaching of student.

Studying

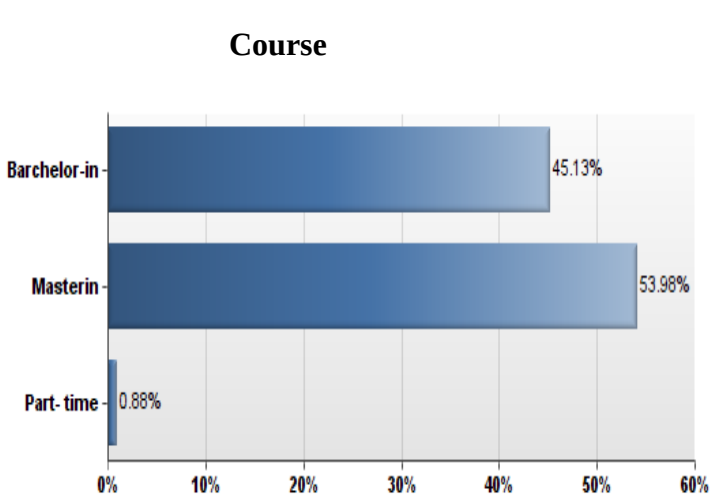
This section presents a proposed model of this research. Based on the literature review and used methods for measurement of capital of brand based in the consumer, there has taken place a research for this matter. More concretely we thought to measure the brand capital based on a student for the Faculty of Economy in the University of Tirana. Based on that what we have said above, have resulted some research questions based on which will be requested and will be given the response as follows:
Students' perceptions for a supportive teaching environment affect in their perceptions for the quality.
Students' perceptions for a supportive community affect in their perceptions for satisfaction.

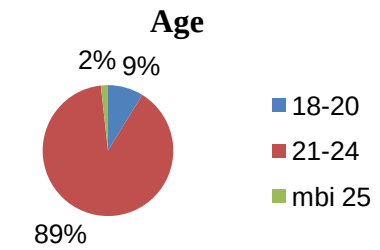
Samples taken for our research is composed of students of Faculty of Economics in the University of Tirana, Bachelor and Master Level as well as from the Part-Time system. There were selected students who have experience with faculty, who have made some years or who have completed a level of studies.
There were questioned 115 students from branches Management (Bachelor), Finances (MsC) and Marketing (Science Master and Professional master). From this taken sample in the study it results

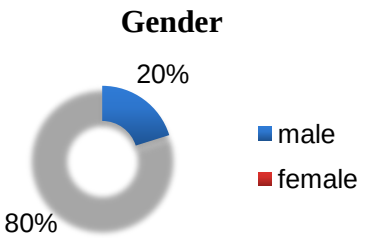
that we have a mistake interval 9.72%, a credibility level 95%, which means that the sample is representing.
The selected sample is facilitating non-probabilitary, as students were selected from those whom we knew, or assisting professors in the faculty in their teaching classes. They were asked about different issues which are related to reputation, quality, and supportive environment of staff, educational environment, and loyalty.
The aim of research was explained to participants in broad terms. Surveyers were ensured also that their responses will remain anonymous. It was given to all participants the possibility to take part in the questionnaire and also was given the possibility to make questions. Participants were encouraged also to respond to the questionnaire with loyalty.
The questionnaire was distributed to the respondents before the start of lesson. The questionnaire was structured and with closed questions, despite of one question which is related to the conscious of brand. Other questions that are related to the university matters, experience, quality or loyality are in an inter valour form and based on the Likert scale, in five levels: fully disagree up to 5 – fully agrees.
The questionnaire was delivered also through internet with the assistance of Qualtics, a site for establishment and analysing of questionnaire. Analysing of questionnaires also was done with Qualtrics, as it offered options of crostabulation, which give connections among variables. In spite of the fact that there are many other sites, or statistical programs, this program seemed to us more convenient for our research and easily usable.
The questionnaire analyses were presented graphically, charts, with information in percentage and with adequate explanations for each issue.
Also, there is another analysis of connections between different variables that Qualtrics makes according to the text of X2. According to this test their needs that awaited frequencies for different values of cross tabulation to be bigger than 5. If we calculated automatically the value of p. according to this value we would see in case there is any connection among variables.

Results

The respondents have been 115 students. 89 % of respondents is in the interval 21 – 24 years old, 9% in interval 18-20 years old, and 2 % are above 25 years old. From those, 20 % are males and 80 % females. Around 54 % of the respondents study for Master of Science or master professional, around 45 % were studying Bachelor degree and 1 %, part time. 46.5 % of the respondents belonged to the department for management, 25.5 % marketing, 26 % finances and 1.7 % Economics.







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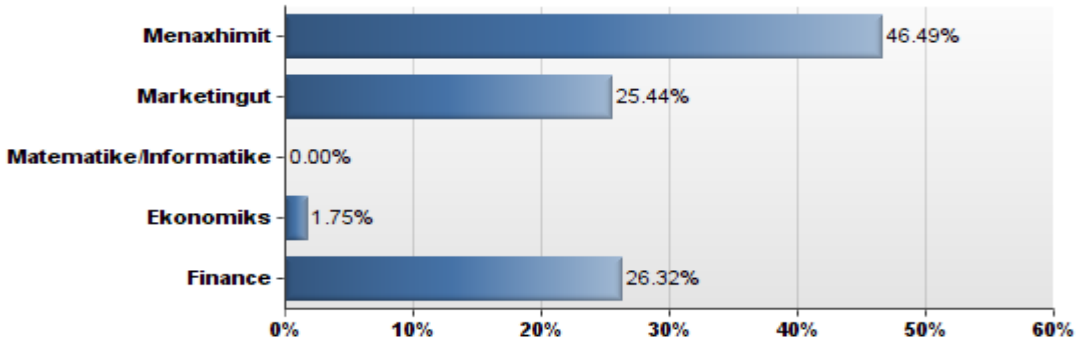

Group work is very important nowadays, in particular when most of the tasks depends or affects in other tasks and overall communication is very important. 54% of students have answered “agree” and 33 % fully agree” in relation if they are trained in groups during attendance of their studies. As it seems the faculty of Economics has reached its goal to train us work in groups, even in case we take into consideration the fact that we are a collectivist culture, they should teach us and work a little bit individually. Also, for the question if they are trained for resolution of problems and analytic opinion, 62 % of the respondents responded with “agree” which is a very good result.
For the question in case the curriculum fits to the selective branch 54 % decide “agree”. In general, the lectured subjects fit to the branch. Of course this is a matter which can be adjudicated better by the professors than students.
As for the communication or relationships with pedagogical staff 31 % responded “disagree”, 33 % “neutral” and 20 % “agree”, if the professors were supportive. Also, 30 % responded “disagree”, 32 % “neutral” and 28 % “agree”, if it was simple for them to understand that what was waited from them.

So, it seems that there is a mix of ideas, which could have resulted from different opinions for different professors and which makes the average to be unclear. It seems that not all professors are good in communication with their students, not always their relationship is with them satisfactory.
Administrative support and establishment of convenient conditions to learn are important issues for an effective service. First a university does not suffice only a good academic staff, in spite of the fact that it is a necessary condition, but there are needed administrative services as ell or places where students may resolve their problems. Also these elements are important for the image of institution, or to generate words.
To the question, “modern bookstore with convenient working hours” 32 % responded “neutral” and 29 % responded “agreed”. A part of students are satisfied with bookstore and one part no. putting to the attention that most of them are no, then we can say that there is place for improvement. For the issue of labs and accessibility of theirs 28 % responded “fully disagree”, which shows that most of students are dissatisfied from this service. No, because those do not exist at school, but in general it is difficult to be provided permission for those and could be that those do not function properly.
In relation with the issue of school timetables and how much those are flexible, 32 % say “fully disagree”. It seems obviously that there are dissatisfactions but this matter does not always depend on the school, as there are also some problems with the environments. Cooperation and communication with the university staff is very important, in particular for the processes of documentations or different problems that can be created during the years of study. For the question “staff provides with its willingness his assistance for different problems, 26 % say “fully disagree”, 30 % say ”disagree” and 32 % are “neutral”.
For the question “staff is ready at any time to resolve administrative or teaching problems”, 35 % say “disagree” and 36 % say “neutral”. For the question “staff contact with students in advance in case there are changes”, 21 % say “disagree”, 30 % say “neutral” and 30 % say “agree”. For the question “staff is able to resolve our problems”, 18 % are “disagree”, 46 % are “neutral” and 21 % are “agree”.

From these results seems to be clear that there are dissatisfactions in regards to staff of the faculty and their processes. It seems that there is a need for better spirit of cooperation and communication.
Consumer's satisfaction and loyalty is one of the most important issues. Those are the ones that assert if the company is progressing well or not. It is that that majority of companies want to reach in the higher levels, that the product to be sold itself. This was also seen in the below questions. The first four questions are related to consumer's loyalty or how we can say in a different way with resonance which was reached by the faculty. For the question "we shall come back again at this university" 32 % are "neutral", 33 % are "agree" and 22 % are "fully agree". For the question "I will continue my studies in this university", 39 % are "agree" and 30 % are "fully agree". For the question "Even if a private university would offer to me the same quality or better with the same cost, I would not leave" 27 % are "agree" and 25 % are "fully agree". For the question "I would select this faculty even if a private faculty would offer to me the same quality", 29 % are "agree" and 34 % are "fully agree". These responses show for a high loyalty of consumers and that student won't go away easily from this faculty. This is a very great achievement of the faculty and establishes easiness in order to have sustainable students, goods and students with good qualities. Other questions are related more to the satisfaction from this service as well as how it was perceived the teaching quality. For the question "in comparison with the others, this university has a higher quality", 35 % responded "agree" and 40 % responded "fully agree".
For the question "I am satisfied to have selected this faculty and not another one" 45 % responded "agree" and 33 % responded "fully agree". For the question "in general I am satisfied with the teaching quality", 60 % of students responded "agree". As it seems from the responses faculty has a high consumer's satisfaction, which for sure will result also in the loyalty as it was seen above. Achievement of satisfaction is a good indicator of quality of service, teaching of faculty.
The last question which is related to "how much would you recommend this faculty to the future students"? this shows that how loyalty or satisfaction will result to higher or continuous 'selling". In one evaluation scale from 1 – 10, students have selected an average 7.48. This shows an average good evaluation and shows that acquired satisfaction will lead in spreading of word at the other people as well, in general with good comments.
At last, we shall also see the influence of administrative support in satisfaction that students for the faculty have. Below are shown values of p for all created connections, to show the influence of administrative support in satisfaction. For "Bookstore with convenient timetables", p =0.36. This value is greater than 0.1 and shows that there is no connection between "bookstore" and satisfaction for selection of this faculty. For "computer labs may be used easily", p=0.61, which again means "lab" and satisfaction of selection of school does not connection. These two matters show that bookstore and labs have not affected in satisfaction of selection of faculty. But, this does not mean that this service should not be improved.
For "staff provides with its willingness", p=0, which means that there is a strong connection between providing of staff's assistance and satisfaction for selection of faculty. Which means that performance of administrative staff will influence a lot in the satisfaction of students.
For "staff is ready at any time", p=0.21, which means that there is no connection between the readiness of staff and satisfaction.

		Modern bookstore with convenient timetables	Laboratories of computers may be used easily	Staff provides assistance with its willingness	Staff is ready at any time
I am satisfied to have selected this university	X2	4.37	2.68	16.43	3.11
	Scale of error	4	4	4	2
	P	0.36	0.61	0.00	0.21

Conclusions and recommendations

Students have selected the faculty of economy with their willingness and it has been in their first preferences. Also, they have heard good words for the faculty and they have selected it also due to a good image which it has. There is another factor that has influenced and it was the influence of family members up to a level. In the good image and reputation for the faculty, in its selection, it seems that also affects the fact that it has not a quite good image for non-public- universities.

Experience with the faculty is very important to decide if we like its quality, to confirm achievements, or to influence in loyalty and relationships that we are going to establish with it. It seems that in general the teaching experience is very good, including professionalism of professors, testing method in the acquired abilities etc. Best results seem to be in relation with the preparation for life challenges, for necessary abilities gained and professionalism of professors. Also, it seems that there should be a more effective communication professor – student.

As for administrative support, which is related a lot with consumer's satisfaction, we can say that there are some problems. There are problems with communication and readiness of staff to assist students. Also, there is satisfaction with facilities of faculty.

The other issue, which is related to satisfaction, is perceived quality and loyalty. It seems clearly that it has a good result in relation with the opinion that students have that satisfaction that they selected this faculty and for quality that teaching has. Also there is a level considerable loyalty, as students express themselves that they will come back again and will not get away from it.

It seems that students have a tendency to recommend the faculty with an average of 7.48 from 10 possible. So, from their level of satisfaction or dissatisfaction from the perception level for quality, it seems that will be generated the words expressed by their mouth positively or negatively according to the case.

Relation satisfaction – administrative staff, has mixed effects. It seems that providing of assistance and satisfaction have a very strong relation and seeing it that in general the opinion of students is not quite well, we can say that we have problems in this aspect. This can bring stressing problems or confusion at students and not good relationships with the staff. Whereas in relation with facilities like bookstore or laboratories and readiness at any time of staff to provide assistance and satisfaction/pleasure does not have any connection. Even though with these elements are not quite satisfied, again this does not affect in their satisfaction in general in relation with the school. Of course this is a matter which can generate payments and frustration.

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MEFAIL TAHIRI, EJUP RUSTEMI – DATA MINING DEVELOPMENT AND ITS IMPACT ON DATA ANALYTICS

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Abstract

With vast amounts of data now available, companies in almost every industry are focused on exploiting data for competitive advantage. In the past, firms could employ teams of statisticians, modelers, and analysts to explore datasets manually, but the volume and variety of data have far outstripped the capacity of manual analysis. At the same time, computers have become far more powerful, networking has become ubiquitous, and algorithms have been developed that can connect datasets to enable broader and deeper analyses than previously possible. The convergence of these phenomena has given rise to the increasingly widespread business application of data science principles and data-mining techniques. Our paper tries to explore the main concepts that drive data analytics through data mining.

Key words: data mining, data analytics, big data, data science

Today's statistics applications involve enormous data sets: many cases (rows of a data spreadsheet, with a row representing the information on a studied case) and many variables (columns of the spreadsheet, with a column representing the outcomes on a certain characteristic across the studied cases). A case may be a certain item such as a purchase transaction, or a subject such as a customer or a country, or an object such as a car or a manufactured product.

Many variables are typically collected on each case, but usually only a few of them turn out to be useful. The majority of the collected variables may be irrelevant and represent just noise. It is important to find those variables that matter and those that do not. Data mining attempts to extract useful information from such large data sets. Data mining explores and analyzes large quantities of data in order to discover meaningful patterns. The scale of a typical data mining application, with its large number of cases and many variables, exceeds that of a standard statistical investigation.

The analysis of millions of cases and thousands of variables also puts pressure on the speed that is needed to accomplish the search and modeling steps of the typical data mining application. This is why researchers refer to data mining as statistics at scale and speed. The large scale (lots of available data) and the requirements on speed (solutions are needed quickly) create a large demand for automation. Data mining uses a combination of pattern-recognition rules, statistical rules, as well as rules drawn from machine learning (an area of computer science).

Data mining has wide applicability, with applications in intelligence and security analysis, genetics, the social and natural sciences, and business. Studying which buyers are more likely to buy, respond to an advertisement, declare bankruptcy, commit fraud, or abandon subscription services are of vital importance to business.

Many data mining problems deal with categorical outcome data (e.g., no/yes outcomes), and this is what makes machine learning methods, which have their origins in the analysis of categorical data, so useful. Statistics, on the other hand, has its origins in the analysis of continuous data. This makes statistics especially useful for correlation-type analyses where one sifts through a large number of correlations to find the largest ones.

Data - Analytic Thinking

Firms in many traditional industries are exploiting new and existing data resources for competitive advantage. They employ data science teams to bring advanced technologies to bear to increase revenue and to decrease costs. In addition, many new companies are being developed with data mining as a key strategic component. Facebook and Twitter, along with many other "Digital 100" companies (Business Insider, 2012), have high valuations due primarily to data assets they are committed to capturing or creating.

Increasingly, managers need to oversee analytics teams and analysis projects, marketers have to organize and understand data-driven campaigns, venture capitalists must be able to invest wisely in businesses with substantial data assets, and business strategists must be able to devise plans that exploit data.

As a few examples, if a consultant presents a proposal to mine a data asset to improve your business, you should be able to assess whether the proposal makes sense. If a competitor announces a new data partnership, you should recognize when it may put you at a strategic disadvantage. Or, let's say you take a position with a venture firm and your first project is to assess the potential for investing in an advertising company. The founders present a convincing argument that they will realize significant value from a unique body of data they will collect, and on that basis are arguing for a substantially higher valuation. Is this reasonable? With an understanding of the fundamentals of data science you should be able to devise a few probing questions to determine whether their valuation arguments are plausible.

On a scale less grand, but probably more common, data analytics projects reach into all business units. Employees throughout these units must interact with the data science team. If these employees do not have a fundamental grounding in the principles of data analytic thinking, they will not really understand what is happening in the business.

This lack of understanding is much more damaging in data science projects than in other technical projects, because the data science is supporting improved decision-making; this requires a close interaction between the data scientists and the business people responsible for the decision-making. Firms where the business people do not understand what the data scientists are doing are at a substantial disadvantage, because they waste time and effort or, worse, because they ultimately make wrong decisions.

Data Mining and Data Science

The fundamental concepts of data science are drawn from many fields that study data analytics. Here we will briefly discuss some of the main concepts.

Fundamental concept 1: Extracting useful knowledge from data to solve business problems can be treated systematically by following a process with reasonably well-defined stages. The Cross Industry Standard Process for Data Mining, abbreviated CRISP-DM (CRISPDM Project, 2000), is one codification of this process. Keeping such a process in mind provides a framework to structure our thinking about data analytics problems. For example, in actual practice one repeatedly sees analytical "solutions" that are not based on careful analysis of the problem or are not carefully evaluated. Structured thinking about analytics emphasizes these often under-appreciated aspects of supporting decision-making with data. Such structured thinking also contrasts critical points where human creativity is necessary versus points where high-powered analytical tools can be brought to bear.

Fundamental concept 2: From a large mass of data, information technology can be used to find informative descriptive attributes of entities of interest. In our churn example, a customer would be an entity of interest, and each customer might be described by a large number of attributes, such as usage, customer service history, and many other factors. Which of these actually gives us information on the customer's likelihood of leaving the company when her contract expires? How much information? Sometimes this process is referred to roughly as finding variables that "correlate" with churn. A business analyst may be able to hypothesize some and test them, and there are tools to help facilitate this experimentation.

Alternatively, the analyst could apply information technology to automatically discover informative attributes - essentially doing large-scale automated experimentation. Further, as we will see, this concept can be applied recursively to build models to predict churn based on multiple attributes.

Fundamental concept 3: If you look too hard at a set of data, you will find something—but it might not generalize beyond the data you're looking at. This is referred to as over fitting a dataset. Data mining techniques can be very powerful, and the need to detect and avoid over fitting is one of the most important concepts to grasp when applying data mining to real problems. The concept of over fitting and its avoidance permeates data science processes, algorithms, and evaluation methods.

Fundamental concept 4: Formulating data mining solutions and evaluating the results involves thinking carefully about the context in which they will be used. If our goal is the extraction of potentially useful knowledge, how can we formulate what is useful? It depends critically on the application in question. For our churn-management example, how exactly are we going to use the patterns extracted from historical data? Should the value of the customer be taken into account in addition to the likelihood of leaving? More generally, does the pattern lead to better decisions than some reasonable alternative? How well one would have done by chance? How well would one do with a smart "default" alternative?

Timeline of Big Data Developments

Here are a number of items that show influential events that prepared the way for the big data era and signify cant milestones during the era.

1991
■ The Internet, or World Wide Web as we know it, is born. The protocol Hypertext Transfer Protocol (HTTP) becomes the standard means for sharing information in this new medium.

1995
■ Sun releases the Java platform. Java, invented in 1991, has become the second most popular language behind C. It dominates the Web applications space and is the de facto standard for middle-tier applications. These applications are the source for recording and storing web traffic.
■ Global Positioning System (GPS) becomes fully operational. GPS was originally developed by DARPA (Defense Advanced Research Projects Agency) for military applications in the early 1970s. This technology has become omnipresent in applications for car and airline navigation and finding a missing iPhone.

1998
■ Carlo Strozzi develops an open-source relational database and calls it NoSQL. Ten years later, a movement to develop NoSQL databases to work with large, unstructured data sets gains momentum.
■ Google is founded by Larry Page and Sergey Brin, who worked for about a year on a Stanford search engine project called BackRub.

1999
■ Kevin Ashton, cofounder of the Auto-ID Center at the Massachusetts Institute of Technology (MIT), invents the term "the Internet of Things."

2001
■ Wikipedia is launched. The crowd-sourced encyclopedia revolutionized the way people reference information.

2002
■ Version 1.1 of the Bluetooth specification is released by the Institute of Electrical and Electronics Engineers (IEEE). Bluetooth is a wireless technology standard for the transfer of data over short distances. The advancement of this specification and its adoption lead to a whole host of wearable

devices that communicate between the device and another computer. Today nearly every portable device has a Bluetooth receiver.

2003

■ According to studies by IDC and EMC, the amount of data created in 2003 surpasses the amount of data created in all of human history before then. It is estimated that 1.8 zeta bytes (ZB) was created in 2011 alone (1.8 ZB is the equivalent of 200 billion high definition movies, each two hours long, or 47 million years of footage with no bathroom breaks).

■ LinkedIn, the popular social networking website for professionals, launches. In 2013, the site had about 260 million users.

2004

■ Wikipedia reaches 500,000 articles in February; seven months later it tops 1 million articles.

■ Facebook, the social networking service, is founded by Mark Zuckerberg and others in Cambridge, Massachusetts. In 2013, the site had more than 1.15 billion users.

2005

■ The Apache Hadoop project is created by Doug Cutting and Mike Caferella. The name for the project came from the toy elephant of Cutting's young son. The now-famous yellow elephant becomes a household word just a few years later and a foundational part of almost all big data strategies.

■ The National Science Board recommends that the National Science Foundation (NSF) create a career path for "a sufficient number of high-quality data scientists" to manage the growing collection of digital information.

2007

■ Apple releases the iPhone and creates a strong consumer market for smart phones.

2008

■ The number of devices connected to the Internet exceeds the world's population.

2011

■ IBM's Watson computer scans and analyzes 4 terabytes (200 million pages) of data in seconds to defeat two human players on the television shows Jeopardy! (There is more about the show in Part Two.)

■ Work begins in UnQL, a query language for NoSQL databases.

■ The available pools in the IPv4 address space have all been assigned. IPv4 is a standard for assigning an Internet protocol (IP) address. The IPv4 protocol was based on a 32 bit number, meaning there are 232 or 4.5 billion unique addresses available. This event shows the real demand and quantity of Internet connected devices.

2012

■ The Obama administration announces the Big Data Research and Development Initiative, consisting of 84 programs in six departments. The NSF publishes "Core Techniques and Technologies for Advancing Big Data Science & Engineering."

■ IDC and EMC estimate that 2.8 ZB of data will be created in 2012 but that only 3% of what could be usable for big data is tagged and less is analyzed. The report predicts that the digital world will by 2020 hold 40 ZB, 57 times the number of grains of sand on all the beaches in the world.

■ The Harvard Business Review calls the job of data scientist "the sexiest job of the 21st century."

2013

■ The democratization of data begins. With smart phones, tablets, and Wi-Fi, everyone generates data at prodigious rates. More individuals access large volumes of public data and put data to creative use.

Preparing the Data

Data preparation for data mining is a vital step that is sometimes overlooked. From our earliest years, we have been taught that "two plus two equals four". Numbers are seen as concrete, tangible, solid, inevitable, beyond argument and a tool that can be used to measure anything and everything. But numbers have inherent variation, for example, two products may have been sold on a certain day, but their sale price may be different; interpretations made at face value may not be true. Some businesses use data for decision making without even making sure that the data is meaningful, without first transforming the data into knowledge and finally into intelligence. "Intelligence" comes from data which has been verified for its validity through the use of past experience and has been described from considerations of its context.

Data mining is a process that uses a variety of data analysis methods to discover the unknown, unexpected, interesting and relevant patterns and relationships in data that may be used to make valid and accurate predictions. In general, there are two methods of data analysis: supervised and unsupervised (see Figure 1 and 2). In both cases, a sample of observed data is required.

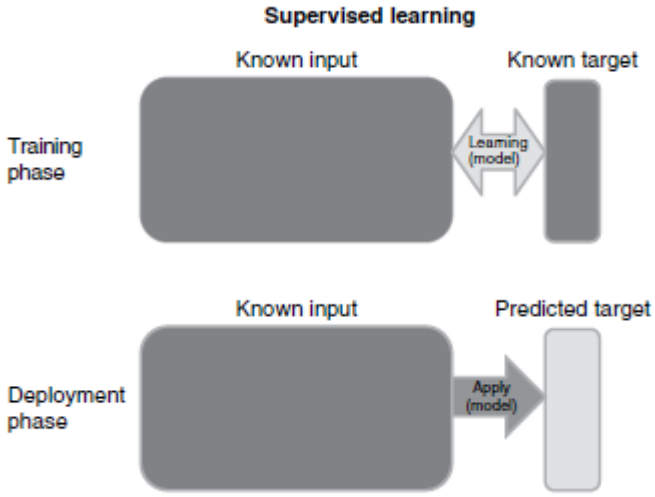

Fig. 1

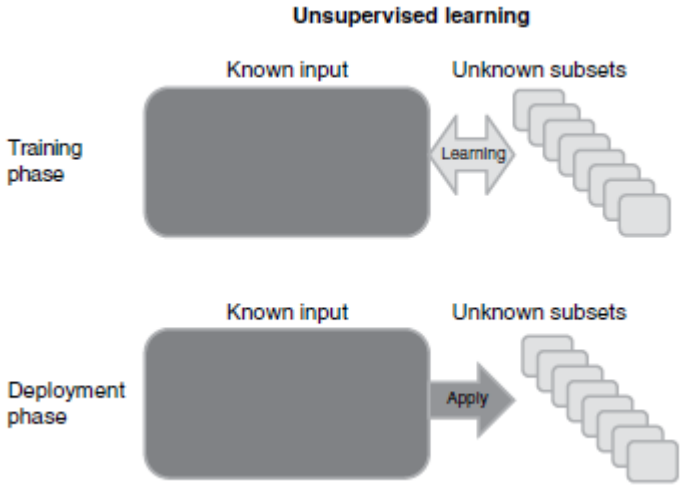

Fig. 2

Supervised data analysis is used to estimate an unknown dependency from known input–output data. Input variables might include the quantities of different articles bought by a particular customer, the date they made the purchase, the location and the price they paid. Output variables might include an indication of whether the customer responds to a sales campaign or not. Output variables are also

known as targets in data mining. In the supervised environment, sample input variables are passed through a learning system, and the subsequent output from the learning system is compared with the output from the sample. In other words, we try to predict who will respond to a sales campaign. The difference between the learning system output and the sample output can be thought of as an error signal. Error signals are used to adjust the learning system. This process is done many times with the data from the sample, and the learning system is adjusted until the output meets a minimal error threshold. It is the same process taken to fine-tune a newly bought piano. The fine-tuning could be done by an expert or by using some electronic instrument. The expert provides notes for the training sample, and the newly bought piano is the learning system. The tune is perfected when the vibration from the keynotes of the piano matches the vibration in the ear of the expert.
Unsupervised data analysis does not involve any fine-tuning. Data mining algorithms search through the data to discover patterns, and there is no target or aim variable. Only input values are presented to the learning system without the need for validation against any output. The goal of unsupervised data analysis is to discover "natural" structures in the input data. In biological systems, perception is a task learnt via an unsupervised technique.

Analytics Techniques

Depending on the characteristics of the business problems and the availability of "clean" and suitable data for the analysis, an analyst must make a decision on which knowledge-discovery techniques to use to yield the best output. Among the available techniques are:
● Statistical methods: multiple regression, logistic regression, analysis of variance and log-linear models and Bayesian inference
● Decision trees and decision rules: Classification And Regression Tree (CART) algorithms and pruning algorithms
● Cluster analysis: divisible algorithm, agglomerative algorithms, hierarchical clustering, partitional clustering and incremental clustering
● Association rules: market basket analysis, a priori algorithm and sequence patterns and social network analysis
● Artificial neural networks: multilayer perceptrons with back-propagation learning, radial networks, Self-Organising Maps (SOM) and Kohonen networks
● Genetic algorithms: used as a methodology for solving hard optimization problems
● Fuzzy inference systems: based on theory of fuzzy sets and fuzzy logics
● N-dimensional visualization methods: geometric, icon-based, pixel-oriented and hierarchical techniques
● Case-Based Reasoning (CBR): based on comparing new cases with stored cases, uses similarity measurements and can be used when only a few cases are available.

Software and tools

There are several data mining and statistical software products that may help us to do data mining. To choose the tools that fit our needs, it is necessary to do a small requirements study. The following questions may help to discover our specific needs.
Besides the content and technical aspects, the financial aspects differ a lot. There are some quite good free products on the one hand and some very good, more advanced solution packages for buying or to be licensed. As with other software's issues, the type of machine on which the data mining software will run, has also an impact on the price.
In general, we can separate the tools into three groups:
● Specialized tools for carrying out one algorithm or method, for example, to allow you just to do association and sequence analyses or neural networks or decision trees.
● Data mining tools with a very strong focus on a small group of data mining methods and with very limited possibility to arrange aggregate or transform the data.
● Full data mining suites that support the whole data mining process. Sometimes, these tools also provide the option to translate everything needed for regular application / deployment in a more widely used software language like C++, SQL or SAS.

This gives the opportunity to automatically include the deployment and regular routines necessary to make the result available without the involvement of the data miner themselves.
The following questions may guide you to a clearer picture of your needs:

Topic-1: Economic advantage of the tools:
1. What is the economic advantage created by the new data mining tool?
2. How well does the data mining tool fit the industry-specific conditions?
3. What additional information can be obtained by the tool?

Topic-2: Technical knowledge:
1. What technical skills are required for users?
2. Can the departments depend on being able to work with the tool (without regularly calling for the IT department or the database specialists)?
3. Is the tool largely self-explanatory?

Topic-3: Comprehensibility & interpretability:
1. Are the analysis results intuitively understandable?
2. Is there a clear explanation of the analysis results?
3. Are the guidance notes in a mathematical and engineering form or in a common language?

Topic-4: Independence of the department:
1. Is it necessary to go to an analyst to address a more in-depth question?
2. What kind of follow-up questions can the departments answer with the tool?
3. How easily can you ask further questions during the current analysis?

Topic-5: The users:
1. What technical/statistical requirements does the user need to bring?
2. For how many users is the tool designed?
3. Are there different levels of users (department/analysts)?
4. Can the users develop their own applications/questions for the tool?

Topic-6: Reliability of results:
1. How reliable are the results?
2. Is it likely that 100 users will receive 100 different answers to the same question?
3. Are there correlations that cannot be discovered by using the tool?

Topic-7: Automation of analysis:
1. Does the tool have the ability automatically to create standard analyses?
2. Can the tool automate pre-defined data mining issues, such as retraining the predictive model in the first week of every month?

Topic-8: Data handling:
1. How much data can be processed by the tool?
2. Can the tool get data directly from the database or must the data be extracted beforehand, for example, from a Comma Separated Variables (csv) file?
3. If the tool works with samples from the data, how is it assured that no relationships and patterns in the data are lost?

Etc.

Conclusion

Analytics including data mining is becoming more and more important in all areas of everyday life. This is reflected in the increasing number of job opportunities for statisticians, data miners and data scientists.
As the world becomes increasingly automated, intelligent prediction systems are coming close to making human predictions obsolete. These powerful techniques can bring enormous benefits in terms of correctly pinpointing situations, people or opportunities. In all industry sectors, people expect that machines will become ever cleverer.

However, machine learning is based on previous experience, and although this is a fundamental part of data mining, we must not undertake data mining in this purely mechanical way without adding our human ingenuity.

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AGRON IBRAHIMI – SVJETSKA TRGOVINA I GLOBALIZACJA

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Abstract

The challenge of this work is to show the development of world trade since the beginning of the twentieth century to the present day. The first chapter explains the course of the development and movement of trade from the beginning to the end of the XX century, while the second chapter explains the development and movement of trade from the beginning of the XXI century to 2010. Development and movement of trade flows in the twentieth century is divided into two parts. The first part covers the development of the economy of the early twentieth century to the end of the Second World War, while the second part explains the development and movement of trade in the period from the end of the World War II until the end of the XX century. Globalization is closely associated with the growth of trade in the XXI century, as globalization plays a key role on the opening of borders and the removal of barriers to the flow of trade. The international institution that is in charge to carry out this work is the World Trade Organization (WTO).

Keywords: world economy, trade, GDP, globalization.

Svjetska trgovina u XX vijeku

Međunarodna trgovina predstavlja razmjenu robe i usluga preko državnih granica. U većini zemalja čini značajan dio BDP-a. Iako je međunarodna trgovina bila prisutna tokom istorije, njen ekonomski, socijalni i politički značaj se povećao u zadnjih nekoliko vijekova, uglavnom zbog industrijalizacije, razvoja transporta, globalizacije i multinacionalnih korporacija.

Na početku XX vijeka nije funkcionisao ni privredni ni politički sistem. Zapravo, posljeratne prepreke za mir i stabilnost proizašle su iz istih izvora iz kojih je nastao i sam Veliki rat. Raspadanje sistema svjetske privrede koje je događalo od 1900. godine, proizvelo je političku tenziju koja je kulminirala 1914. godine.

Orijentacija na industrijalizaciju na koje su se oslonile velike ekonomske sile (Britanija, Nemačka, SSSR, Japan itd.) početkom XX vijeka, relativno brzo je postalo jasno da je ova strategija generalno doživjela neuspeh, o čemu su svjedočili i uvođenje restriktivnije devizne politike, pooštravanje uvozne kontrole (usled prevelike tražnje tehnološki intenzivnijih roba kao i intermedijalnih proizvoda) kao i nezadovoljavajući privredni i spoljnotrgovinski rezultati. Uvozna supstitucija praktično je dovela do rasta samo proizvodnje jednostavnijih industrijskih roba (posebno radno-intenzivne industrije) a pokušaji da se ekspanzivnijom fiskalno-monetarnom politikom ublažavaju postojeći problemi dovodili su do porasta inflacije, precjenjenosti valute i usporavanja rasta.

Poslije velikog sloma svijetske ekonomije dolazilo do transformacije svjetske ekonomije u 30-im godinama XX vijeka. Transformacija je nastala brže nego što se to obično uviđa. Prvi svijetski rat i posle ratne revolucije još uvjek su pripadale devetnaestom vijeku. Sukob iz 1914-1918. samo je ubrzao i neizmerno otežao krizu koju nije on sam stvorio. Slom međunarodnog zlatnog standarda bio je ona nevidljiva veza između dezintegracije svjetske privrede s prekretnice vijekova i transformacije čitave civilizacije u tridesetim godinama prošlog vijeka (Polanji, 2003). U 1924. godini i kasnije, Evropa i Sjedinjene Države bile su poprište jednog silovitog privrednog rasta u usponu. 1920-ih godina, stabilizacija valuta postala je središnja tačka političkog razmišljanja ljudi i vlada, obnova zlatnog standarda postala je najviši cilj svakog organizovanog napora na ekonomskom polju.

Velika depresija predstavljala je veliku ekonomsku recesiju, koja je trajala od 1929 godine pa do kraja 1930-tih. Jedan iznenadan, ali ne i slučajan događaj započeo je rušenje međunarodnog ekonomskog i trgovinskog sistema. Kriza Volstrita dobila je ogromne razmjene i bila je praćena odlukom Velike Britanije da napusti zlatni standard, a dvije godine kasnije učinile su to i Sjedinjene Države. Poslije njih isto je postupila i Francuska. Istovremeno je postojeća organizacija svjetske privrede prestala da funkcioniše. Svjetska trgovina nikako da se stabilizuje naročito zbog previsokih spoljnih dugova većine države. Tokom ovog perioda došlo je do velikog pada u trgovini i drugim ekonomskim indikatorima. Velika depresija je bila najveća ekonomska recesija, koja je trajala od 1929. do 1941. godine. Za vrijeme ovog perioda došlo je do velikog pada trgovine i ostalih ekonomskih pokazatelja. Nedostatak slobodne trgovine su mnogi smatrali jednim od osnovnih razloga Velike depresije(svjetska ekonomska kriza 1929-1930 godine), uz naravno Drugi svjetski rat. Za vreme Drugog svijetskog rata, tačnije 1944. godine, 44 zemlje su potpisale Breton-vudski sporazum sa namerom prevencije od potencijalnih budućih nacionalnih barijera, kako bi se izbegla nova depresija. Utvrđena su pravila i osnovane su institucije koje će regulisati međunarodnu ekonomsku politiku: Međunarodni monetarni fond i Banka za obnovu i razvoj (kasnije podeljeno na Svjetsku banku i Banku za međunarodna poravnanja). Ove organizacije su počele da funkcionišu 1946 godine, kada je već dovoljan broj članica ratifikovao sporazum. Godine 1947. 23 zemlje su pristupile Generalnom sporazumu o carinama i trgovini (poznatiji kao GATT) kako bi podstakle slobodnu trgovinu.

U periodu poslije II. svjetskog rata došlo je do širenja i razvoja svjetske trgovine. Kao nosilac razvoja svjetske trgovine poslije 2. svijetskog rata bili su sporazum zaključen u Bretton Woods i GATT sporazum. Svake godine dolazilo do povećanja svjetske trgovine(1960-1968 godine došlo je do rasta svjetske trgovine 7,3% godišnje. 1968-1973 godine rast trgovine je bio 9,7% godišnje). To je jedan veoma veliki rast trgovine i ekonomije u cijelini. U 70-im godinama prošlog vijeka dolazi do velike ekonomske krize. Rezultat ove krize je bila naftna kriza i protekcionističke tendecije velikih svjetskih država. Sve ovo je dovelo do recesije u razvijenim zemljama. Poslije izlaska iz ove recesije svjetska trgovina počela ponovo da cvijeta.Trgovina u narednom periodu raste ali po nižim stopama (3,3%; 2,3%, 4,5%). U nerazvijenim zemljama iskustva su obostrana, ali dolazi do povećanja izvoza. Veliki rast trgovine je bio u Aziji, naročito u zemljama kao što su: Malezija, Indonezija, Filipini, Tajland, Kina. Uprkos velikom rastu Azijskih zemlja, razvijene zemlje su povećale udio u volumenu svjetske trgovine sa 64% 1963. godine na 70% 1993 godine. Ostale nerazvijene zemlje nisu pratile Aziju. Kako dohodak raste, hrana je relativno manje važna, a potrošnja ide prema industrijskim proizvodima. Nerazvijeni uglavnom izvoze primarna dobra a uvoze industrijska dobra, a razvijene zemlje obrnuto. Uvoz razvijenih i nerazvijenih zemalja bio je sličan. Svjetska trgovina od 1953-1999. godine se povećala 20 puta, a od 1990-2000. godine se povećala duplo, što je nevjerovatan porast u tako kretko vrijeme (tabela 1).

Tabela 1: Svjetska trgovina roba po regionima i zemljama 1948-1999 godine (u bln $ i %)

	1948	1953	1963	1973	1983	1993	1999
				Export			
				Iznos u bln $			
Svijet	58.0	83.0	157.0	578.0	1835.0	3639.0	5473.0
				Podjeljeno u %			
Svijet	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Sjeverna Amerika	27.5	24.6	19.4	17.2	15.4	16.8	17.1
Južna Amerika	12.3	10.5	7.0	4.7	5.8	4.4	5.4
Zapadna Evropa	31.0	34.9	41.0	44.8	39.0	43.7	43.0

Centralna i južna Evropa/ Baltičke zemlje	6.0	8.2	11.0	8.9	9.5	2.9	3.9
frika	7.4	6.5	5.7	4.8	4.4	2.5	2.0
Srednji Istok	2.1	2.1	3.3	4.5	6.8	3.4	3.1
Azija	13.8	13.2	12.6	15.0	19.1	26.3	25.5
Japan	0.4	1.5	3.5	6.4	8.0	10.0	7.7
Kina	0.9	1.4	1.3	1.0	1.2	2.5	3.6
Australija i Novi Zeland	3.7	3.2	2.4	2.1	1.4	1.5	1.3
NIZ	3.0	2.6	2.4	3.4	5.8	9.7	10.0
Ostale zemlje Azije	5.8	4.5	3.1	2.1	2.7	2.6	3.0
GATT/WTO zemlje	60.4	68.7	81.8	81.8	76.0	86.9	89.7
				Import			
				Iznos u bln $			
Svijet	66.0	84.0	163.0	589.0	1880.0	3752.0	5729.0
				Podjeljeno u %			
Svijet	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Sjeverna Amerika	19.8	19.7	15.5	16.7	17.8	1938.0	22.3
Južna Amerika	10.6	9.3	6.8	5.1	4.5	5.2	5.8
Zapadna Evropa	40.4	39.4	45.4	47.4	40.0	42.9	42.2
Centralna i južna Evropa/ Baltičke zemlje	5.8	7.6	10.3	8.9	8.4	2.9	3.7
Afrika	7.6	7.0	5.5	4.0	4.6	2.6	2.3
Srednji Istok	1.7	2.0	2.3	2.8	6.3	3.2	2.6
Azija	14.2	15.1	14.2	15.1	18.5	23.4	20.9
Japan	1.0	2.9	4.1	6.5	6.7	6.4	5.4
Kina	1.1	1.7	0.9	0.9	1.1	2.8	2.9
Australija i Novi Zeland	2.6	2.4	2.3	1.6	1.4	1.5	1.5
NIZ	3.0	3.4	3.1	3.7	6.1	9.9	8.5
Ostale zemlje Azije	6.5	4.7	3.8	2.3	3.1	2.8	2.7
GATT/WTO zemlje	52.9	66.0	74.2	89.1	83.9	91.0	91.6

Izvor: International trade statistics 2000, str. 28

U razdoblju 1948-1999. godine svjetsko stanovništvo se povećalo od 2,5 na 6,1 milijardi ljudi. Porast, iako uz tranziciju, bio je u zemljama u razvoju (1950: 67% svetskog stanovništva, 2000: 85%). Tako veliki porast doveo je do povećanja ponude radne snage (pojava "novoindustrijalizovanih zemalja") i rasta potrošnje i uvoza hrane, posebno žitarica. Razvoj svjetske trgovine snažno je uticao na porast životnog standarda, posebno u razvijenim zemljama. Prelazom na model intenzivnog, visokotehnološkog razvoja i fleksibilne specijalizacije, stvorena su bogata društva. U vezi s tim, povećana je potražnja za industrijskim i drugim proizvodima. Rast obima svjetskog izvoza bio je posebno intenzivan u poslednjoj četvrtini dvadesetoga vijeka (tačnije 1973-2001 godine) i iznosio je 5,25% prosječno godišnje.

Poslije 1950. godine počele da se stvaraju trgovinske unije između zemalja istog kontinenta kako bi povećale obim proizvodnje i međusobnu trgovinu.

Iz tabele 2. se vidi da najuspješniji regionalni trgovinski savez je Evropska Unija.

Tabela 2. Udio intra-regionalnog izvoza u ukupnoj trgovini u periodu 1970-2000. godine

	1970	1980	1985	1990	1995	2000	Godina stupanja na snagu
Evropa i Sjeverna Amerika							
CEFTA	-	-	-	-	14,6	11,5	1993
EU	59,5	60,8	59,2	65,9	62,4	62,1	1957
NAFTA	36,0	33,6	43,9	41,4	46,2	55,7	1994
Latinska amerika i Karibi							
CACM	26,0	24,4	14,4	15,4	21,7	13,7	1961
Andska grupa	1,8	3,8	3,2	4,2	12,2	8,8	1988
CARICOM	4,2	5,3	6,3	8,1	12,1	14,6	1973
MERCOSUR	9,4	11,6	5,5	8,9	20,3	20,7	1991
Afrika							
CEMAC (UDEAC)	4,8	1,6	1,9	2,3	2,2	1,2	1999
COMESA	7,4	5,7	4,4	6,3	6,0	4,8	1994
ECCAS	9,8	1,4	1,7	1,4	1,5	0,9	1983
ECOWAS	2,9	9,6	5,1	8,0	9,0	9,6	1975
SADC	4,2	0,4	1,4	3,1	10,6	11,9	1992
UEMOA	6,2	9,9	8,7	12,1	10,3	13,0	2000
Bliski istok i Azija							
ASEAN/AFTA	22,4	17,4	18,6	19,0	24,6	23,0	1992
GCC	4,6	3,0	4,9	8,0	6,8	5,0	1981
SAARC	3,2	4,8	4,5	3,2	4,4	4,3	1985

Izvor: International trade statistics 2002 i Trade and development report 2002

Udio intra-regionalne trgovine u tabeli 2. je izračunat kao koeficijent trgovine između članica u odnosu na ukupnu trgovinu (sa članicama i nečlanicama) regionalne grupe. Ovo pokazuje nepovoljnu karakteristiku da se njegova vrijednost mijenja sa veličinom trgovinskog sporazuma, koja se iskazuje u vidu broja članica ili obima trgovine između članica. Dakle, ako nova članica stupi u sporazum ili ukoliko jedna od zemalja ima visoku stopu rasta GDP, koeficijent intra-regionalne trgovine će porasti. U krajnjem slučaju, ukoliko sve zemlje u svijetu postanu članice sporazuma, svijetski udeo će biti jednak jedinici. Zbog toga visok udeo intra-regionalne trgovine ne znači da će članice regionalnog trgovinskog sporazuma imati veću trgovinu sa partnerima u regionu.

Tabela 3. GDP u najvećim ekonomijama svijeta 1999. godine (mlrd. USD)

ZEMLJA	GDP
USA	8,710,000,000,000.00
Japan	4,395,000,000,000.00
Nemačka	2,081,200,000,000.00
Francuska	1,410,000,000,000.00
UK	1,373,600,000,000.00

Italia	1,150,000,000,000.00
Kina	996,300,000,000.00
Brazil	791,400,000,000.00
Kanada	612,000,000,000.00
Meksiko	483,000,000,000.00
Indija	447,000,000,000.00
Rusija	184,000,000,000.00
Indonezia	151,000,000,000.00
Izrael	99,000,000,000.00

Izvor: Annual Report 1999

Jedan od pokazatelja uloge spoljnje trgovine je odnos imeđu vrijednosti eksporta i importa prema ukupnom GDP. U globalnim razmjerama, taj pokazatelj iznosi preko 40%. Gotovo u svim državama EU godišnji obim eksporta i importa prelazi 50% GDP. Samo u SAD i Japanu spoljnotrgovinska kvota je manja (oko ¼ GDP u SAD i oko 1/5 GDP u Japanu). U drugoj polovini dvadesetog vijeka svjetska trgovina je ostvarila znatno brži rast od svjetskog GDP-a, posebno po stanovniku. Za 1950-1995. godine DBP svijeta je porastao za 6 puta, industrijska proizvodnja za 7,4 puta, a robni eksport za 12,8% (u stalnim cijenama), dok je istovremeno rast svjetskog GDP-a po stanovniku bio znatno skromniji (1,4%). Na kraju XX vijeka Najveće prihode po GDP su imale Sjedinjene Američke države koje su bile simbol i primjer svjetske trgovine u cijelom XX. vijeku.

Tabela 4. Uvoz roba po regionima i razvijenim zemljama 1980-1999 god. (Mln. $ i %)

	Iznos				% po regionima ukupan uvoz		
	1980	1990	1998	1999	1980	1990	1999
Sjeverna Amerika	2103	2079	2718	2708	0.7	0.4	0.3
Zapadna Evropa	10045	10232	9790	9175	1.2	0.6	0.4
Australia i Novi Zeland	285	403	445	421	1.0	0.8	0.6
Kina	446	707	2592	2529	2.5	1.1	1.3
Japan	1874	1707	1440	1512	1.4	0.6	0.4
NIZ	1390	2856	6237	6811	1.5	1.1	1.2
Ukupna robna trgovina	16144	17983	23222	23156	1.2	0.6	0.5

Izvor: International trade statistics 2000, str. 32

Tabela 5. Izvoz roba po regionima i razvijenim zemljama 1980-1999 god. (Mln. $ i %)

	Iznos				% po regionima ukupan uvoz		
	1980	1990	1998	1999	1980	1990	1999
Sjeverna Amerika	2625	4807	6613	7208	0.8	0.7	0.6
Zapadna Evropa	8510	10629	10284	9884	0.9	0.6	0.4
Australia i Novi Zeland	92	86	123	173	0.3	0.2	0.2
Kina	262	314	943	1396	1.3	0.6	0.8
Japan	1356	1250	1069	1015	1.0	0.5	0.3
NIZ*	556	1500	3062	3871	0.65	0.8	0.8
Ukupna robna trgovina	13400	18586	22094	23547	0.9	0.6	0.5

*NIZ – novoindustrijalizovane zemlje istočne i Jugoistočne Azije: Tajvan, Hongkong (Kina), Malezija, R. Koreja, Singapur, Tajland.

Izvor: International trade statistics 2000, str. 33

Unutar Zapadne Evrope najintenzivniji su robni tokovi i usluge između samog bloka (trgovina između zemalja EU čini preko 45% svjetskog eksporta i preko 40% svjetskog importa), između Zapadne Evrope i SAD, između SAD i Kanade, između Japana i SAD, Japana i Zapadne Evrpe. Najveći trgovinski blok na planeti od 90-ih godina XX vijeka postala je EU. Ukupni izvoz zemalja EU 1998.godine je dostigao skoro 2,2 trln. USD i preko tri puta prevazišao izvoz SAD. Na EU dolazi oko 40% svjetskog izvoza. Skidanje trgovinskih barijera se odnosilo među zemljama članicama EU je stimulisalo uzajamnu trgovinu – na nju je dolazilo preko 60% spoljnjeg prometa zemalja članica EU. U zadnjoj godini XX vijeka Evropska Unija je imala privredni rast od 3,5%. Evropska Unija je ovim privrednim rastom htjela da bude glavni globalni pokretač svjetske trgovine baziran na povećanju izvoza i slabije evropske valute u ondosu na američki dolar. To znači da su evropski proizvodi jeftiniji za američke potrošače.

Zemlje istočne Evrope nikad nisu igrale značajnu ulogu u svjetskoj trgovini. Poslije promjene njihovog društveno-ekonomskog uređenja i raspada SEV-a (1991.), one su se preorijentisale na tržišta razvijenih zemalja Zapada (pre svega EU).

SSSR je u periodu 1950-1990. godine ulazila među deset zemalja-eksportera (5. mesto u svijetu 1960.g.). Ali njegova uloga u svjetskom izvozu čak u najboljim godinama nije prelazila 5% (na nivou Holandije, Belgije, Kanade, Italije). Uloga Ruske Federacije u svetskoj trgovini, bez obzira na pokušaje da se aktiviraju i diverzifikuju spoljnje ekonomske veze, još je skromnija – 19 mjesto u svijetu, ili 1,4% svetskog izvoza, 1998. godine. Najvažniji spoljnje-ekonomski partner Rusije su zemlje ZND (pre svega Belorusija i Ukrajina) i zemlje EU (u prvom redu Nemačka – najveći spoljnji partner Rusije) i SAD.

Lider svjetskog eksporta su SAD (1986. i 1990-92 g. prestizala ih je Nemačka). Tome je pogodovao prije svega, pad kursa dolara, koji je omogućio američkim firmama, koje su znatno smanjile troškove proizvodnje zahvaljujući višegodišnjem prestruktuiranju industrije,da dopunski smanje cijene za svoje robe na svjetskom tržištu. Ipak udio SAD u svetskoj trgovini na kraju XX vijeka je bio znatno niži, nego nekoliko decenija unazad – 12,7% svetskog izvoza 1998. godine prema 31,0% u 1950. godine. SAD su danas ne samo najveći izvoznik, nego i vodeći uvoznik, pri čemu je robni uvoz 1998.godine prevazilazio izvoz za 260 mlrd. USD. Najvažniji spoljno-trgovinski partneri SAD su u izvozu: Kanada, Meksiko, Japan; u uvozu: Kanada, Japan, Kina. Američki privredni rast se nastavlja i 1999. Godine sa 4%, sa smanjenjem nezaposlenosti od 4%, sa povećanjem izvoza od 12%. Tako da SAD ulaze u XXI vijek kao najveća ekonomska-trgovinska sila. Ekonomska kriza koja je zahvatila Azijske zemlje 1997. godine je uticala na američki privredni rast. Kao karakteristika američke privrede 90-ih godina XX vijeka je bila privredni rast, rast potrošnje, rast ličnih dohodka, rast spoljnog trgovinskog deficita, i povećanje vrijednosti valute (International trade statistics 2000, str. II).

U okviru eksportne strategije razvoja brzim tempom je rastao izvoz finalnih industrijskih proizvoda Japana: njegov udio u svjetskom izvozu se povećao od 1,3% u 1950.godini na 8,4% u 1990. godini. Ipak, 1990-ih godina Japan je stupio u fazu ekonomskog zastoja i njegov udio u svjetskom izvozu se donekle smanjio. Ta zemlja još uvek ima najveći u svijetu aktivni saldo trgovinskog bilansa – izvoz 1998.godine je prevazilazio uvoz za 301 mln. USD. Deficit SAD u trgovini s Japanom 90-ih godina se nalazio na nivou 50-60 mlrd. USD. Privredni rast Japana u 2009. godini je bio veći 2% nego 1998. godine. Privredni rast 1999. godine je bio suočen sa povećanjem državne potrošnje, dok je raast je smanjen za 0,3%. Karakteristika privrednog rasta Japana krajem 90-ih godina je bila restriktivna monetarna politika, kao i povećanje vrednosti Japanske valute (International trade statistics 2000, str. II).

Prema prvom izvještaju UNCTAD-a u XXI vijeku (Trade and development report,1999) Zemlje u razvoju su imale veći privredni rast u 90-im godinama nego u 80-im godinama ali su imali manji godišnji privredni rast nego u 1970. Ovaj rast je suočen sa povećanjem spoljnog deficita. Za Zemlje u razvoju (osim Kine) trgovinski deficit 1990. godine prosječno je veći nego 1970. godine oko 3% GDP-a, dok povećanje zarada je manja oko 2% godišnje. Brza liberalizacija trgovine u gore

navedenim zemljama je imala veći efekat u njihov trgovinski deficit koji je takođe uticao i na rast izvoza, dok je uvoz je periodično padao naročito u tim zemljama gdje je liberalizacija trgovine bila razlog razaranja teške industrije. Udio zemalja u razvoju (uključujući i Kinu) u svjetskom eksportu 1998. godine iznosio je preko 27%. Njihove spoljnoekonomske veze su orijentisane na razvijene zapadne zemlje. Na uzajamnu trgovinu dolazi samo oko 35% eksporta zemalja u razvoju. Brzim tempom raste izvoz (najviše industrijskih proizvoda) iz azijskih "novoindustrijalizovanih zemalja" (NIZ), a takođe iz Kine. U periodu 1990-1995.godine on se povećavao prosečno 11,5% godišnje. Godine 1998. na Kinu, Tajvan, Hongkong, J. Koreju, Maleziju, Singapur i Tajland dolazilo je 13,2% svjetskog izvoza. Po ukupnom obimu izvoza te zemlje su se već izjednačile sa SAD. Ipak na perspektive azijskih NIZ i Kine negativno se odrazila azijska finansijska kriza. Eksport te grupe zemalja 1998.godine povećao se za 2%. U zadnjoj godini XX vijeka privredni rast Kine je bio 7% što je bio signal brzog privrednog rasta cijelog Azijskog kontinenta a naročito Kine i Indije (Trade and development report,1999, str. VI).

Robna struktura izvoza i uvoza u različitim regionima svijeta u cijelom prošlom vijeku je bila nejednaka. Ako u izvozu razvijenih industrijskih zemalja odlučujuću ulogu imaju mašine i oprema. To u većini zemalja u razvoju (posebno najzaostalijih) osnovnu ulogu u izvozu imaju sirovine, gorivo i hrana. Mnoge zemlje u razvoju potpuno zavise od izvoza samo jedne vrste sirovina. Na primjer, skoro 60% eksportnog dohotka Gane donosi kakao, 89% eksporta Zambije čini bakar, 60% eksporta Kolumbije – kafa itd. Oko 57% zemalja u razvoju dobija preko 25% eksportnih prihoda od jedne vrste robe. Izuzetak čini grupa NIZ, koje su specijalizovane za izvoz radno intenzivnih i sofisticiranih industrijskih roba.

Trgovina i globalizacija u XXI vijeku

Za međunarodnu privredu važni su trgovinski i finansijski odnosi među nacionalnim privredama, kao i uticaj međunarodne trgovine i finansija na raspodjelu proizvodnje, prihoda i bogatstva po svijetu i među državama.

Glavnu ulogu u međunarodnoj trgovini u XXI vijeku igraju industrijske zemlje zapada. Na njih je 2000. godine dolazilo preko 70% svjetskog eksporta. Pritom oko 70% eksporta razvijenih zemalja Zapada otpada na uzajamni robni promet. Oko 60% međunarodnog trgovinskog prometa čini unutra regionalni izvoz. Na tom nivou vodeća je regionalna trgovina unutar EU (oko 26% svjetskog izvoza). Od međukontinentalnih tokova izdvaja se trgovina Sjeverne i Južne Amerike s Azijom i Okeanijom (bez bliskog istoka i ZND), koje čine oko 12% svjetskog izvoza, i Evrope i Centralne Evrope sa oba Američka kontinenta, koje čine preko 9% svjetskog izvoza. Smanjuje se udio trgovinskih transatlanskih odnosa SAD sa Zapadnom Evropom a raste uloga tihookeanske trgovine između SAD, Japana, zemlje istočne i jugoistočne Azije, a takođe i evropsko-tihookeanske veze. Tihookeanski bazen postaje centar svjetske ekonomije XXI vijeka.

U 2000. godini od ukupnog svjetskog izvoza 63% obuhvata industrijska roba, a slijede je usluge 19%, poljoprivredni proizvodi sa 8% i energija sa 7%. Nakon napada na SAD, 2001. godine, svjetska ekonomija je doživjela dodatno usporavanje. SAD čine 25% od ukupne svjetske proizvodne. U 2002. godini svjetska ekonomija je počela oporavljati od recesije i imala rast od 2.5%, dok su svjetske berze i u 2002. godini ponovo izgube na vrijednost poslije 2000 i 2001. godine. To je bila treća uzastopna godina. Vodeći ekonomski analitičari smatraju da se tu radilo o prenapumpanim vrednostima akcija iz razdoblja tehnološkog i telekomunikacijskog investicijskog buma devedesetih godina. Na početku XXI vijeka ekonomija SAD sporo raste ali je još u značajnoj prednosti nad pratećim državama Japanom, Njemačkom i Kinom.

Kraj 2002. godine Japan je dočekao sa deflacijom, bilježeći pad cijena već treću godinu za redom. Japanske banke su bile nesolventne, a ekonomija je bila u padu sa slabim izgledima za oporavak u sledećim godinama osim ukoliko ne uzme neke radikalnije promjene na dalji razvoj. Jedan američki strušnjak za Japan ekonomista Clyde Prestovitz kaže da japanski model rasta, kojim je zapravo upravljala država, je istrošen u osamdesetim godinama i više ne funksioniše: „Japan je posjedovao

pobjedničku formulu između 1950-1980 godine“ (Prestovitz, 1990, str. 78). To je bila dobra formula da se jednostavno nisu mogli rješiti, te je od osamdesetih pokušavaju zakrpiti. Međutim, ta formula više nije funksionalna u XXI vijeku da bi držao primat razvoja i sve češće jednostavno ne funksioniše.

Ukupni svjetski uvoz i izvoz od 2000- 2008. godine se povećao po prosječnoj stopi od 5%. Najveći procentualni rast izvoza u XXI vijeku su imale zemlje Azijskog kontinenta, tačnije Kina sa prosječnim godinjim rastom od 20,5% i Indija 12,5%. Trgovina u 2007. godini je usporila zbog slabljenja potražnje u razvijenim zemljama. Rast svjetskog izvoza u 2007. godini je pao na 6%, nakon godišnjeg rasta BDP-a od 3,4%. Usporavanje rasta trgovine od 8,5% u 2006. godini je bio zbog usporavanje uvozne tražnje, uglavnom u SAD-u, Evropi i Japanu (International trade statistics 2009, strana 1). Trgovina je ostala stabilna u većini zemlja u razvoju tokom 2007. godine. Najveći svjetski izvoz trgovine tokom 2007. godine su imale Kina 19,5%, Indija 11,5%, Japan 9%, Nezavisne zemlje komonvelta sa 7,5%, Sjedinjene Države i Švajcarska sa 7%. U 2008. godini svijet se suočava sa najvećom globalnom krizom od 30-ih godina prošlog vijeka. Ukupni svjetski izvoz se povećao 1,5%. Isti procentualni rast je zabilježio kontinent Sjeverne Amerike. Najveći izvozni rast tokom 2008. godine je imao Kina 8,5%, Japan 7,5%, dok najveći pad izvoza su imale Hong Kong 11%, Kanada 6%.Sjedinjene Država su bilježile izvozni rast od 6%, dok zemlje Evropske Unije pas izvoza od 0,5% (Tabela 6).

Tabela 6: Rast robne trgovine u svijetu po regionima 2000-2008. Godine, (u %)

Izvoz				Uvoz		
2000-2008	2007	2008		2000-2008	2007	2008
5.0	6.0	1.5	Svijet	5.0	05.5	1.5
2.5	5.0	1.5	Sjeverna Amerika	3.0	02.0	-2.5
0.0	1.0	-6.0	Kanada	3.5	6.5	0.5
2.0	1.5	-5.0	Meksika	3.0	4.5	0.5
3.5	7.0	6.0	Sjedinje Države	3.0	1.0	-3.5
5.5	3.5	0.5	Južna i Centralna Amerika	8.5	17.5	13.5
3.5	3.5	0.0	Evropa	3.0	3.5	-1.5
3.5	3.0	-0.5	Evropska Unija (27)	3.0	3.0	-1.5
1.0	1.5	0.0	Norveska	5.0	9.5	2.0
3.5	7.0	1.5	Švajcarska	2.0	5.0	2.5
7.5	7.5	2.5	Nezavisne zemlje komonvelta (CIS)	17.0	19.5	16.5
10.0	11.5	5.5	Azija	8.0	8.0	4.5
2.5	2.5	5.5	Australija	9.0	11.0	10.0
20.5	19.5	8.5	Kina	16.0	13.5	4.0
-4.0	6.5	-11.0	Hong Kong, Kina	3.0	8.0	-2.0
12.5	11.5	7.5	Indija	13.5	14.0	14.0
6.0	9.0	2.0	Japan	2.5	1.0	-2.0
8.0	8.5	4.5	NIZ Azije	5.5	5.0	4.0

*NIZ Azije su: Hong Kong, Juzna Koreja, Malezija,Singapur, Taipei i Tailand

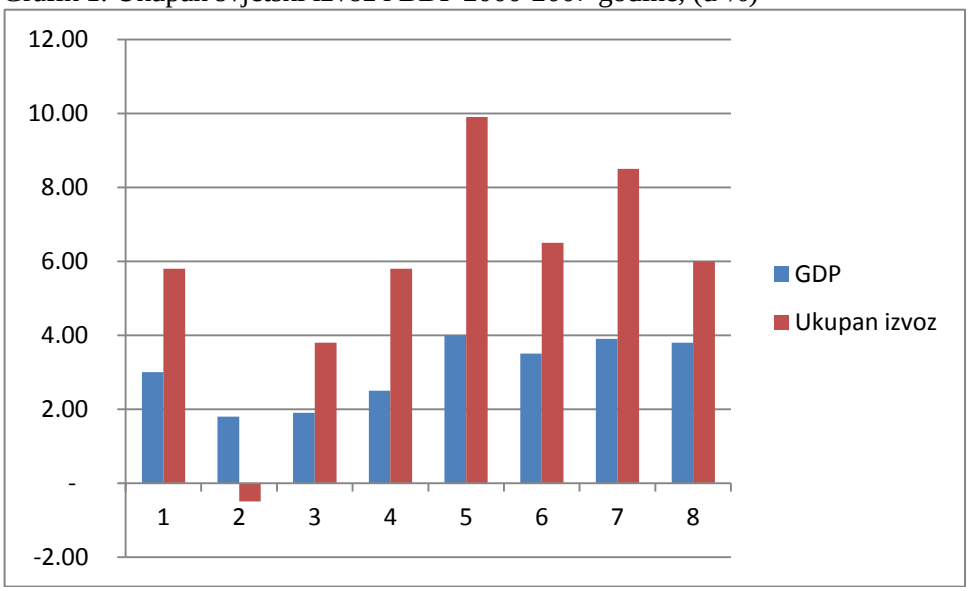
Izvor: International trade statistics 2009, str. 7

U periodu od 2000-2008- godine najveći procentualni rast uvoza su zabilježile Nezavisne zemlje komonvelta sa 17%, Kina 16% i Indija sa 13,5%. Razvijene zemlje su imale manji rast uvoza od svjetskog prosjeka u tom periodu (SAD i EU sa 3% i Japan sa 2,5%). Tokom 2007. godine svjetski rast uvoza je porastao sa 5%. Globalna ekonomska recesija je smanjila svjetski uvozni rast u 2008.

Godini na 1,5%. Sjedinjene Države su bilježile pad uvoza sa 2,5%, Japan 2% i Evropska Unija 1,5%. Indija je imala rast uvoza sa 14% i Kina sa 4%.

Realni podaci pokazuju da Bruto domaći proizvod (BDP) i svjetski izvoz ne samo da se kreću u tandemu, već da je rast izvoza premašuje rast BDP-a. Rast BDP-a je povećan sa još viskim rastom međunarodne trgovine. Realni rast svjetskog BDP-a u periodu od 2000-2007, godine je bio u prosjeku od 3%. Svjetski rast Bruto društvenog proizvoda u 2005. godini je bio 2.6%, 2006. godini 3.5%, dok u 2007. godini rast je bio 3.4%.

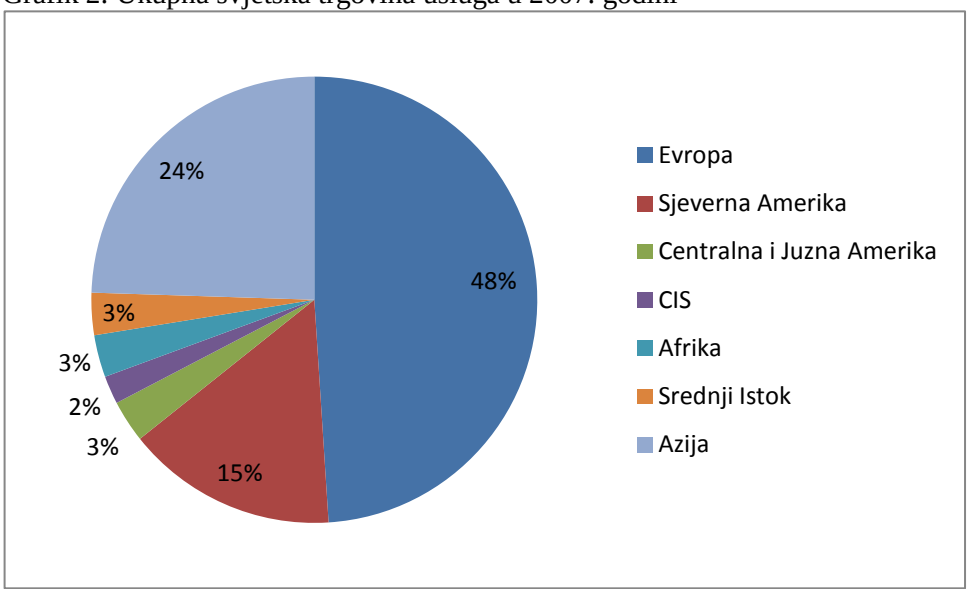
Grafik 1. Ukupan svjetski izvoz i BDP 2000-2007 godine, (u %)



Izvor: International trade statistics 2008, str. 1

U 2007. godini vrijednost trgovinskih usluga porasla je 18% u odnosu na godinu ranije. Razlog dvoprocentnog rasta vrijednosti trgovinskih usluga je bio rast cijena transporta. Iako sektor usluga učestvuje sa 2/3 ukupnog svjetske trgovinske vrijednosti, njegovo učešće je 19% ukupne svjetske trgovine. U 2007. najveći izvoznici trgovine usluga su bili Evropa, SAD, Japan, Kina i Indija koje čine 2/3 ukupnog izvoza (Grafik 2). U poslednjim godinama izvoz usluga Kine i Indije je porastao brže nego u drugim zemljama.

Grafik 2: Ukupna svjetska trgovina usluga u 2007. godini



Izvor: International trade statistics 2008, str. 6

U 2007. godini trgovina usluga uglavnom je bila fokusirana u Sjevernoj Americi, Aziji i Evropu (15%, 24% i 48% od ukupne trgovine usluga). Trgovina u Evropi sačinjava više od ¼ svjetske trgovine. Međutim u poslednjim godinama XXI. vijeka tržište je stagnirao kao što je slučaj sa Sjevernom Amerikom, ali druge regije kao što su Nezavisne zemlje Komonvelta (CIS), Afrika i Bliski istok su povećale međusobno neslaganje. Ovo neslaganje u zemljama Komonvelta je uzrok trgovine između Rusije i Ukrajine kao i izvoznika Kazakistana koji je ostao kao drugi izvoznik trgovinskih usluga poslije Rusije u Zajednica Novih država (grafik br. 2).

Malo koji proces utiče na našu sadašnjicu kao proces globalizacije. Globalizacija se u najširem smislu reči odnosi na ekspanziju globalnih veza i obuhvata više velikih procesa, pa se i definicije razlikuju zavisno od toga šta im je u fokusu. Termin nije neutralan, jer različite definicije odražavaju različite ocjene globalnih promena. Sam proces globalizacije je protivrečan – globalizacija povezuje svet, ali ga istovremeno i dijeli. Globalizacija je usko povezana sa savremenom razvojnom fazom tzv. globalnog kapitalizma, sa delovanjem novih tehnologija i njihovim uticajem na stvaranje globalnog svetskog tržišta. Upravo ta ekonomska strana globalizacije predstavlja jedan od glavnih kritierijuma na osnovu kojih se i ona sama određivala. Kako globalizaciju definišu Međunarodni monetarni fond i Svetska banka, kao jedni od glavnih institucionalnih proizvoda ekonomske strane globalizacije? MMF definiše globalizaciju kao "narastajuću ekonomsku međuzavisnost država zbog povećanja obima i raznovrsnosti prekograničnog prometa roba i usluga, slobodnijeg protoka kapitala i difuzije tehnologije" (IMF Staff), a slična je i definicija Svetske banke - "sloboda i mogućnost preduzeća da vrše dobrovoljne ekonomske transakcije sa državljanima drugih zemalja"(Williamson, str. 258).

Kad se danas govori o globalizaciji, ima se prije svega u vidu njen možda najizraženiji aspekt, a to je globalizacija trgovine i ekonomskih tokova. Pokazatelji njenog postojanja u ekonomskoj sferi jesu:
povećanje međunarodne trgovine,
porast međunarodnog protoka kapitala,
erozija nacionalnih suvereniteta kroz stvaranje organizacija kao što su WTO ili OPEC,
povećanja udjela u svjetskoj ekonomiji koji kontrolišu multinacionalne kompanije,
povećanje uloga međunarodnih organizacija kao što su WTO, IMF koje kontrolišu međunarodne transakcije

Tehnološke promjene, prije svega razvoj saobraćaja i komunikacija, omogućile su integrisanje državnih tržišta. Faktor koji snažno doprinio organizovanju tržišta na globalnom nivou – opšte smanjenje carinskih stopa, što je omogućilo ekspanziju međunarodne trgovine. Do ovoga je došlo pod uticajem teorije trgovinskog liberalizma, koji se zalaže za slobodna tržišta sa što manje prepreka na putu trgovine i protoka kapitala.

Ekonomski procesi i tokovi su teško predvidivi, a pokušaji ljudi usmjeravaju kompleksne i sveobuhvatne tokove su postojani, naizgled nezaustavljivi. Vrijeme globalizacije, vrijeme snage tržišta dolazi i gradi nove puteve, obećava nešto novo. Sa ekonomskog aspekta, globalizacija je neizbježna, što će opet voditi smanjenju autoriteta nacionalne države koja već četiri stotine godina pokušava da ukroti burne i nepredvidive ekonomske tokove. Globalizacija postepeno nadvladava nacionalno, državno oubličava na specifičan način. Globalizaciju XXI vijeka treba shvatiti kao razvoj.
O globalizaciji se govori kao do sada najvišoj fazi internacionalizacije međunarodne proizvodnje i kao o trećoj fazi približavanja međunarodnih ekonomskih odnosa. Globalizacija predstavlja proces širenja međuzavisnosti zemalja i regiona kao posledica dinamičnog razvoja ekonomskih, kulturnih, ekoloških, političkih i drugih veza i odnosa. Globalizacija označava proces uspostavljanja povezanosti svijeta, snagom tržišta, a ne snagom država, u kome narodi nijesu odvojeni jedni od drugih protekcionističkim barijerama i granicama.
Danas je kompleksnost tehnologija strateških industrija, kao što su industrija automobila, avio industrija, telekomunikacije i farmaceutska industrija, takva da one ne mogu biti organizovane na

uninacionalnoj osnovi i ostati tehnološki konkurentne u isto vreme. Troškovi istraživanja i razvoja rastu, a životni ciklus proizvoda strateških industrija postaje sve kraći, tako da je za kreiranje adekvatnog budžeta za interkontinentalne i međunarodne kompanije potrebno globalno tržište. Čak i najveće firme nijesu više u stanju da samostalno podnesu troškove i rizik tehnološkog razvoja. Saradnja, i to ne na međuregionalnom već na globalnom nivou, postaje uslov razvoja koja nije moguća bez globalnog tržišta. Danas se nalazimo u procesu tranzicije - od međunarodne svjetske ekonomije, zasnovane na nacionalnim tržištima, ka integrisanom globalnom svjetskom sistemu proizvodnje i tehnologije. U sistemu gdje je međunarodna proizvodnja (zasnovana na stranim direktnim investicijama) je zamjenila trgovinu u funkciji karike koja povezuje međunarodne ekonomske transakcije. Nova svjetska ekonomija polako je nastajala sa rastom i prednostima ostvarenim inovacijama i rastom i širenjem svjetskog tržišta. Globalizacija ne označava samo rastući broj nacionalnih ekonomija koje postaju međusobno povezane u prekograničnim tokovima robe, usluga i faktora proizvodnje. Što je, čini se, važnije - globalizacija označava kvalitativni proces upravljanja sve kompleksnijim sistemom međunarodnih odnosa i veza. Ili, drugačije rečeno, proces globalizacije označava međuzavisnost politike i duboke integracije, i uključuje stalnu interakciju između preduzeća, tržišta i države.

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PROF. ASS. DR. HALIT SHABANI, HAJRIJA ŠKRIJELJ, RIALDA MUHAREMI - OSIGURANJE KAO ZAŠTITNIK OKOLINE

PROF. ASS. DR. HALIT SHABANI
Dean's assistant - HAJRIJA ŠKRIJELJ
Dean's assistant - RIALDA MUHAREMI

University "Haxhi Zeka,, Peja, Republic of Kosovo

UVOD

Životi ljudi prepuni su rizika sve od trenutaka rodjenja. Izreka da nikada ne znamo šta nam može donijeti sutra posebno je istinita u preduzeću. Svaki poslovni potez, a i cjelokupno upravljanje preduzeću, vezano je za mogućnost rizika. Ako preduzetnici zanemaruju rizik, vjerovatno će se spotaknuti, samo suočavanje sa rizikom može povećati izglede za opstanaki rast.
Za kvalitetno upravljanje rizicima i osiguranje potrebno je poznavati vrste osiguranja. Svrhe ovog pristupnog rada je upoznavanje sa vrstama rizika,načinima upravljanja rizicima, te osiguranjem,vrstama osiguranja i načinima osiguranja od rizika.
U osnovnom smislu,osiguranje je privredna,uslužna delatnost koja štiti čoveka i njegovu imovinu od posledica dešavanja brojnih opasnosti. Na taj način se obezbedjuje neophodna sigurnost u privredi i društvu u cjelini. Pravna lica i pojedinci izloženi su u neprekidnoj mogućnosti dešavanja opasnosti koje mogu prouzrokovati štetu. Osiguranje predstavlja jedan od najvažnijih vidova obezbedjenja od takvih dogadjaja i predstavlja ekonomsku nužnost svakom ko void računa o bezbednosti u poslovanju i svakodnevnom životu.
Sama reč osiguranje označava sigurnost poverenje u nešto,obezbedjenje izražava svrhu osiguranja koja se uopšteno sastoji u pružanju neke sigurnosti.
Osiguranje u najširem smislu predstavlja zaštitu imovinskih interesa fizičkih i pravnih lica prilikom realizacije rizika,odnosno nastupanje osiguranih slučajeva na račun fondova osiguranja formiranih naplatom premija tih lica. Kroz različite vidove pokrića,odnosno vrste zaštite,delatnost osiguranja je prisutna u svakodnevnom životu. Pravna lica i pojedinci izloženi su neprekidnoj mogućnosti dešavanja opasnoti koje mogu prouzrokovati štetu.
Osiguranje predstavlja jedan od najvažnijih vidova obezbedjenja od takvih dogadjaja i predstavlja ekonomsku nužnost svakome ko void računa o bezbednosti u poslovanju i svakodnevnom životu.

Cilj osiguranja: je zaštita materijalnog položaja osiguranika,odnosno isplata naknadne štete licu koje je osiguralo svoju imovinu ili osigurane sume licu čiji su duh i telo došli u stanje pri kome su mu neophodna sredstva za njegov zdrastveni tretman u cilju ozdravljenja. Osnovni cilj osiguranja predstavlja pokriće rizika putem zajednice ugroženih pojedinaca.

Metodologija osiguranja: U ovom rada upotebljena je stručna literatura kao i metode indukcija i dedukcija. U prvom delu upoznali smo se sa osiguranjem. U drugom delu podelu osiguranja i njene vrste.U trećem delu smo prikazali neke od gčavnih elemenata osiguranje, u ćetvrtom delu smo prešli na rizike osiguranja da se uzpoznamo koji su to rizici u osiguranju i u šestom delu sam prikazala program upravljanja sa rizicima. U sedmom delu imamo prikaz vrste rizika da bi u osmom delu videli koji su poslovni rizici. U devetom delu sam objasnila upravljanje rizicima i opasnostima kojima smo svaki dan podležni ali i kako se prema njnima odnositi sa osiguranićkog pogleda. U desetom poglavlju videćemo šta je mirovinski plan i šta predstavlja u osiguranju

Keywords: Osnovni cilj osiguranja predstavlja pokriće rizika putem zajednice ugroženih pojedinaca.

Osiguranje

Pojam i definicija osiguranja
Osiguranje je institucija koja nadoknadjuje štete nastale u društvu, u njegovoj privredi ili kod ljudi, usljed dejstva rušilačkih prirodnih sila ili nesrećnih slučajeva. Ono, u stvari pruža ekonomsku zaštitu osiguranicima od štetnih dejstva i ekonomskih poremećaja od kojih dolazi kada nastane osigurani slučaj, odnosno kada se ostvari rizik u svim fazama društvene reprodukcije ili u svakodnevnom životu ljudi.
Pojmovi opasnost, rizik, šteta, odšteta usko su povezani sa pojmom osiguranja, a sam naziv osiguranje stvara predstavu o sigurnosti, već i o još nekim važnim faktorima, npr: o stabilnosti privrednog procesa, pa i o društvenom procesu uopšte. Osiguranje u suštini, predstavlja udruživanje svih onih koji su izloženi istoj opasnosti, s ciljem da zajednički podnesu štetu koje će zadesiti samo neke od njih.
Preko osiguranja izjednačavaju se rizici na prihvatljivom nižem nivou, amortizuju se. osiguranje se javlja u tri vida, odnosno ima tri sastavna djela:

Ekonomski – vid se izražava u cilju koji se postiže u osiguranju – to su funkcije osiguranja.
Tehnički – je onaj dio koji uredjuje funkcionisanje osiguranja kao specifičnog mehanizma za izjednačavanje rizika.
Pravni – predstavlja uredjivanje veoma brojnih pravnih odnosa koji nužno nastaju u osiguranju udruživanjem sredstava za odštećenje svih osiguranika koje zadesi šteta. To je uredjivanje pravila i obaveza osiguranika i osiguravača kod ostvarivanja odštetnih prava tj.kod likvidacije štete.

Uloga osiguranja
Sa aspekta pojedinaca dvostruka je uloga osiguranja:
Zaštita osiguranika
Zaštita trećih lica

Pojedinac se može obezbediti osiguranjem počev od egzistencije svih najbližih u slučaju smrti ili trajnog invaliditeta, odnosno gubitak radne sposobnosti pa do naknade putnih troškova i troškova boravka za vrijeme kiše na godišnjem odmoru. Čovjek može osigurati svoju imovinu od posljedica požara, kradja, poplava grada. Iz ovih aktivnosti može nastati šteta prema njemu samom, prema trećim licima, odnosno njegovoj i tudjoj imovini. Vrijednost imovine se može lako utvrditi pa se i naknada štete na toj imovini može utvrditi i izkazati u novcu. Imovina licu i kompanije uključuje zemlju, zgrade namještaj, račune u banci, odjeću autorska prava, automobile, patente i bezbroj drugih stvari. Sve se to može osigurati.142

Zaštita trećih lica. U modernom pravu postoji težnja da se obezbjedi zaštita odredjenom krugu lica koja su izložena izvjesnim rizicima. To su lica koja bez ikakve svoje krivice mogu pretrpjeti štetu na sopstvenoj ličnosti ili imovini prilikom prevoza u javnom saobraćaju ili prilikom izvršenja veoma opasnih zanimanja. U ovaj krug spadaju i svi oni koji mogu biti povrijedjeni od nekog motornog vozila ili vazduhoplova. Osiguranje su duzni da zaključe vlasnici, odnosno korisnici motornih vozila i aviona obavezno se osiguravaju od odgovornosti za štete nastale u trećim licima.

Naplaćena premija osiguranja:
2004 godine : 478 mil USD
2008 godine : 833 mil USD
20 društva u 2008 godine
17- osiguranje, 2 – reosiguranje, 1 – osiguranje i reosiguranje
13 – većinsko strano vlasništvo, 7 – domaća društva

Rast udela društva koja su u većinskom stranom vlasništvu:

[142] Predrag Šulejić, "Prava osiguranja" Beograd, 2005, str. 387

Karakteristike:
Nelojalna konkurencija
Dominacija osiguranja od autoodgovornosti
Nemogućnost plasmana od dugoročnih sredstva
Neadekvatne i nerealne tarife
Nerazvijeno životno osiguranje
Neblagovremena isplata naknada
Previsoke provizije posrednika
Nenamensko korišćenje rezervi itd
Najčešće učešće osiguranja imovine u regionu

Hrvatska:
Učešće životnog osiguranja – 23%
Oprezan pristup u ulasku inostranog kapitala
"Kroacia osiguranje" – preko 40%
Kompanije u većinskom stranom vlasništvu – 25%

CROATIA OSIGURANJE
CROATIA OSIGURANJE d.d.

POLICA OSIGURANJA

Tarifa N1/3 - 1
Zamjena police: 020621001060

FILIJALA ZAGREB
Trg bana J. Jelačića 13
MB 3276147

OSOBA OD POSLJEDICA NESRETNOG SLUČAJA (NEZGODE)

No 020621003109

Ugovaratelj: **RH-MINISTARSTVO FINANCIJA** **MB: 03205991 - 000**
KATANČIĆEVA 5, 10000 ZAGREB

Osiguranik: **Svi korisnici državnog proračuna uz isključenje pripadnika Oružanih snaga Republike Hrvatske - prema prilogu polici**

Korisnik za slučaj smrti: Bračni drug, ako ga nema osiguranikova djeca, ako nema djece osiguranikovi roditelji, ako nema roditelja ostali zakonski nasljednici.

Osiguranje počinje u 00:00 sati 1.01.2003. i traje do 24:00 sati 31.12.2003.

Opći uvjeti za osiguranje osoba od posljedica nesretnog slučaja (nezgode) i Dopunski uvjeti za kombinirano kolektivno osiguranje djelatnika od posljedica nesretnog slučaja (nezgode) sastavni su dio ovog ugovora o osiguranju.

Temeljem ove police CROATIA OSIGURANJE d.d. preuzima obvezu da će u okviru ugovorenih osiguranih svota isplatiti po osobi u kunama za slučaj:

Smrt uslijed nezgode	30.000,00 kn
Smrt uslijed bolesti	15.000,00 kn
Trajni invaliditet uslijed nezgode do	60.000,00 kn

Godišnja premija po osobi iznosi 39,52 kuna. Akontacija premije za razdoblje od 1.01.2003. do 31.12.2003. na bazi 207.000 osoba iznosi 8.180.640,00 kn, a konačni obračun izvršit će se na kraju osigurateljnog razdoblja.

Instrument plaćanja: Virmanom Plaćanje: U 4 rate. Rata premije iznosi 2.045.160,00 kn.
Rate dospijevaju na naplatu: 30.04.2003., 31.07.2003., 30.09.2003., 30.11.2003.

Posebni uvjeti:
1. Prilog polici je Dodatk Ugovoru o kombiniranom kolektivnom osiguranju radnika od posljedica nesretnog slučaja i Posebni uvjeti.

Oslobođeno poreza temeljem članka 11. Zakona o PDV-u.
Eventualne pogreške na polici ispravit će se u roku od 30 dana od izdavanja police.
Ugovaratelj potvrđuje svojim potpisom na polici da su mu predani na[illegible] Opći i Dopunski uvjeti.

Pribavitelj: 91360001 Danijela [illegible]
ZAGREB, 18.03.2003.

Za osiguratelja

Ugovaratelj - Osiguranik

01400.2 - 28.03.2001.

Slika 1. Polisa

Slovenija:
Učešće životnog osiguranja – 29,4%
Najveći stepen razvijenosti osiguranja u regionu
Najveća bruto premija po stanovniku i učešće bruto premije u BDP
Najveće učešće životnog osiguranja
Najveće učešće u tržištu osiguranja u regionu
Oprezan pristup ulasku stranog kapitala

Bosna i Hercegovina:

Najveće učešće osiguranja od autoodgovornosti u regionu
Najveći broj osiguravajućih kompanija

Makedonija:
Najslabiji pokazatelj stepena razvijenosti osiguranja u regionu
Najniže učešće u tržištu osiguranja regiona

Vrste Osiguranja

Da bi se zaštitilo od požara, oluje i drugih prirodnih nepogoda, preduzeće kupuje imovinsko osiguranje. Ova vrsta osiguranja pokriva taku imovinu (zgrade, opremu, zalihe). Da bi smanjili namjerno uništenje imovine, osiguravatelji tradicionalno odredjuju nominalnu vrijednost police ispod knjigovodstvene vrijednosti imovine.
Druga važna vrsta osiguranja je osiguranje odgovornosti na primjer, kupac može tužiti proizvodjača jer se povrijedio do je koristio njegov proizvod. Ključne osobe presudne su za uspjeh svakog preduzeća. Neki preduzetnici kupuju životno osiguranje ključne osobe da njihovi nasljednici ne bi morali predate poslove radi plaćanja poreza na imovinu. Ako se preduzeće zatvori zbog nepogode kao što je požar, preduzetnik može zaštititi posao od gubitka imovine. Ali da bi nastavio poslovati nakon obnove, preduzetnik prvo mora platiti redovite troškove kao što su plate zaposlenima poraze, kamate i dr. – iako nema nikakve prodaje.
Da bi se zaštitio od takvih gubitaka, poduzetnik može kupiti osiguranje za prekid poslovanja.
Primjer: Otac ima sina koji je upao u loše društvo, sin je uhvaćen u kradji i poslan je u popravni dom. Nakon izlaska na slobodu sin nemože dobiti zaposlenje zbog svoje prošlosti. Da bi se sin rehabilitirao, mogao sam sebe izdržavati i povratiti samopoštovanje mora dobiti zadovoljavajuću radnu ocjenu. Otac moli prijatelja da mu zaposli sina kako bi se pokazao da je mladić pošten. Prijatelj ga odbija strahujući da bi on mogao pretrpjeti gubitak. Otac se tada posmeno obavezao da će nadoknaditi svaki gubitak do kojeg bi moglo doći zbog mladićevog nepoštenja. Na osnovu toga prijatelj unajmljuje mladića.

Ovaj sporazum je ugovor o ličnoj garanciji iz vrste poznate kao garancija vjernosti. Zagarantovana je obaveza sinovo poštenje. Strane ovog ugovora su otac, sin i prijatelj koji zapošljava mladića. Rizik je eventualnost nastanka gubitka zbog mogućeg sinovnog nepoštenja.

Odabir osiguravajućeg agenta
Preduzetnik može lako kupiti program osiguranja koji najbolje odgovara njegovim vlastima potrebama i potrebama posla. Ali zato mu je potrebna stručna pomoć osiguravajućeg agenta. Osiguranje je tako složeno područje da ga samo mali broj preduzetnika razumije.
Ova dva primjera pokazuju koliko je bitna savjet stručnjaka:
Primjer: vlasnik male prodavnice odjeće zabrinuo se nad računom koji mu je stigao od osigurajućeg društva. <<Ove premije ubijaju. Moram imati osigurano sve pod suncem nebeskim, ukjlučujući i moje zlatne zube. Ima toliko različitih polica osiguranja da se nebi čudio da je poneka stvar pokrivena dvjema policama >>.

Primjer: vlasnica prodavnice robe uvezane iz Indije, kao da ima baš suprotan problem. Prije šest mjeseci provalili su mi u prodavnicu, a ja jos uvjek pokušavam dobiti novac od moga osiguravajućeg društva. Oni kažu da moja polica pokriva pljačku, a ne provalu. Zar to nije ista stva??
Jedan od načina da preduzetnik odabere sposobnog osiguravajućeg agenta je da pita banku ili pravnika koji najčešće znaju koji agenti nude sve obuhvatnu uslugu prodajući sve vrste osiguranja, obuhvatajući osiguranje od požara, od odgovornosti, zdrastveno i životno osiguranje.
Alternative sveobuhvatnoj usluzi je djelimična usluga kod koje je agent specializiran samo za jednu vrstu osiguranja. Ova alternative je manje privlačna nego sveobuhvatna usluga.
Uopšteno, najbolje je izabrati nezavisnog agenta koji zastupa više osiguravatelja. Nezavisnost agentu omogućuje da potraži police koje najbolje udovoljavaju preduzetnikovim potrebama.

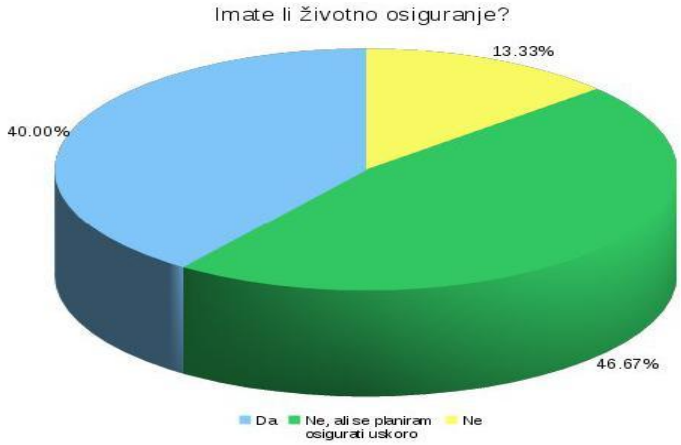
Životno osiguranje

Životno osiguranje žaštićuje porodicu od gubitka dohotka usljed prerane smrti uzdržavatelja. Osnovni oblik životnog osiguranja je osiguranje na odredjeno vrijeme. Ono pruža samo zaštitu, odnosno, nema plana štednje povezanog sa policom osiguranja. Premija je tačno tolika da pokrije tražnju za slučaj osiguranikove smrti plus troškove osiguravatelja i profita.

Osiguravanje na odredjeno vrijeme vrijedi samo ugovoreni broj godina, nakon čega osiguravatelj može zaračunati veće premije ili čak uskratiti osiguranje.

Druga vrsta životnog osiguranja je osiguranje za sav život, ponekad zvani normalni ili obični život. Razlikuje se od osiguranja na odredjeno vrijeme po tome što se premije plaćaju kroz sav zaposlanikov život, a polica se isplaćuje u potpunosti u slučaju smrti osiguranika.143

Osiguravatelj ne može uskratiti osiguravanje tokom zaposlenikova života sve dok se premije redovita uplaćuju. Svaki od stotine različitih planova životnog osiguranja varijacija je osiguranja na odredjeno vrijeme ili osiguranja za cijeli život.



Slika 2. Životno osiguranje

Slika 3. Životno osiguranje

Osiguranje lica

O zakonu o obligacionim odnosima definiše se da u ugovorima o osiguranju lica (osiguranje života i osiguranje od nesrećnoga slučaja slučaja) visina osigurane svote, koju osiguravač dužan da isplati

143 Veljko Tomašić " osiguranje u spoljnoj trgovini" Beograd 1970

kada nastupi osigurani slučaj, utvrdjuje se u polici prema sporazumnim ugovorenim stranama. Uočava se da i zakon ukazuje da osiguranje lica obuhvata, pre svega, dve vrste osiguranja: osiguranje života i osiguranje od nesrećnoga slučaja. Što se posebno biti i odredjeno, koliko je značaj, ovog osiguranja ranije, u stabilnim uslovima privredjivanja bio, potvrdjuje i činjenica da su osnovni oblici organizovanja osiguravajući organizacija od 1990 godine nazvali zajednice osiguranja imovine i lica. Dakle, već i samog naziva se može da uoči ova vrsta osiguranja imala je podjednak značaj u odnosu na sada dominantan osiguranje imovine. S obzirom da osiguranje života ima elementne štednje, jasno je da našim prostorima nakon hiperinflacije i uopšte izuzetno je smanjenje štednje kod gradjana, došlo do velikoga pada u zaključavanju ove vrste ugovora o osiguranju. 144
Pritome naglašavamo da je osiguranje lica od posledica nesrećnoga slučaja zadržavalo izvestan nivo, ali da je klasično osiguranje života umnogome svedeno na minimalan broj.

Socialno osiguranje
Socialno osiguranje je vrsta obaveznog minumuma osiguranja u nadležnosti federalne vlade. Ona obezbedjuje porodicama dohotka da prežive kada uzdržavatelj umire, ode u penziju ili postane nesposoban za rad. U današnje vrijeme socijalno osiguranje pokriva gotovo sve zaposlenike u zemlji. S obzirom na to da je socijalno osiguranje obavezno, ekonomisti uplate socijalnom osiguranju često smatraju porezom a ne premijom.

Zdrastveno i osiguranje nesreće
Zdrastveno osiguranje od nesreće štiti zaposlenike od visokih troškova bolničkog liječenja i zdrastvenih usluga. Osim plaćanja ovakvih računa, zdrastveno i osiguranje od nesreće često nudi i još neke koristi kao što su:
Nadnice do 26 sedmica ako zaposlenik ne može raditi zbog bolesti ili nesreće
Postotak nadnice ako zaposlenik postane trajno fizički nesposoban te više ne moše raditi
Jednokratna isplata ako je zaposlenik osakaćen

Slika 4. Zdrastveno i osiguranje nesreće

Osiguranje imovine
Osiguranje imovine zauzima mjesto na ukupnom tržištu osiguranja. U najrazvijenijim zemljama svijeta postoje drugačiji odnosi imovinskih osiguranja, u koja u širem smislu spadaju i osiguranje

[144] Veljko Tomašić " osiguranje u spoljnoj trgovini" Beograd 1970

usjeva i plodova životinja, osiguranje motornih vozila transporta i životnog osiguranja. U osiguranju imovine kao ključnoj grani osiguranja postoje brojni problem izvani otežanim uslovima poslovanja. Privredni subjekt, usled sopstvene nelikvidnosti i smanjenim kapacitetom rada, ne osiguravajući cjelokupnu imovinu, vrše selekciju rizika, osiguravaju uglavnom na bazi knjigovodstvenih vrijednosti, koje su često nerealno niske, veoma teško plaćaju premiju.
Prije obrazloženja pojedinih tipova osiguranja imovine, najbitnije kategorije koje se odnose na imovinska osiguranja uopšte, prije svega, na bazi zakona o obligacijonim odnosima iz 1978 godine. Osiguranje imovine može zaključiti samo lice koje ima interes da se dogodi osigurani slučaj, pošto bi inače pretrpjelo neki materijalni gubitak. Pravo iz osiguranja mogu imati samo lica koja su u času nastanka štete imala meterijalni interes da se osigurani slučaj ne dogodi. Osnovna svrha osiguranja imovine je u tome da se obezbedi naknada štete koja bi se desila na imovini osiguranika zbog nastupanja osiguranog slučaja. Ključni pristup koji proizilazi iz zakona o obligacijonim odnosima kod nadoknade štete u imovinskim osiguranjima pri tome su:

Da iznos naknade ne može biti veći od štete koji je osiguranik pretrpeo nastupanjim osiguranog slučaja
Da su punovažne odredbe ugovora kojima se iznos naknade ograničava na manji iznos od iznosa štete
Da se pri utvrdjivanju iznosa štete uzima u obzir izmakla (izgubljena) dobit samo ako je to ugovoreno
Da se naknada iz osiguranja, ukoliko se u toku istog osiguranja dogodi više osiguranih slučajeva jedan za drugim, odredjuje i isplaćuje u potpunosti za svaki od njih, s obzirom na cjelu svotu osiguranja, bez njenog umanjenog za iznos ranije isplaćenih naknada u toku tog perioda
Da se naknada u slućaju da je ugovorom o osiguranju vrijednosti osigurane stvari sporazumno utvrdjena odredjuje prema toj vrijednosti, izuzev ako osiguravač dokaže da je ugovorena vrijednost znatno veća od strane vrijednosti, a za razliku ne postoji opravdan razlog.

Osiguranje industrije
Osiguranje industrije obuhvata, prije svega, sledeća osiguranja:
Osiguranje mašina od loma i nekih drugih opsnosti
Osiguranje objekata u izgradnji
Osiguranja objekta u montaži
Osiguranje od opasnosti prekida rada požara i drugih opasnosti
Osiguranje od odgovornosti iz djelatnosti
Osiguranje filmskih preduzeća
Osiguranje stvari u radnicima
Osiguranje zaliha na flotantnoj osnovi
Osiguranje pokretne tehnike
Osiguranje imovine u jamama radnika sa podzemnim eksplotacijom
Kombinovano osiguranje elektronskih računara, procesora i sličnih uredjaja
Osiguranje imovine elektroprivrednim preduzeć
Garancijsko osiguranje (odgovornost za greške na stvarima)

Osiguranje motornih vozila
Osiguranje motornih vozila kao grana osiguranja ima dve osnovne vrste: kombinovano osiguranje motornih vozila tzv. kasko osiguranje i obavezno osiguranje vlasnika, odnosno korisnika motornih i priključnih vozila od odgovornisti za štete počinjene trećim licima (tzv. osiguranjem autoodgovornosti).
Osiguranje motornih vozila dobija se sve više na značaju i u svetu i u našoj zemlji. Imajući u vidu broj motornih vozila, a posebno činjenicu da je zaključavanje osiguranja auto – odgovornosti obavezno, najveći je broj osiguravajućih organizacija bavi se ovim vrstom osiguranja, ali u toj oblasti, na žalost, postoje i najveće nepravilnosti tj.odstupanje od zakona I struke osiguranja.

Kombinovano osiguranje motornih vozila

Za razliku od osiguranja vlasnika, odnosno korisnika motornih i priključak vozila od odgovornosti za štete počinjene trećim licima koje je obavezno za osnovu samog zakona, kombinovano osiguranje motornih vozila ili tzv. kasko osiguranje je dovoljno, što znači da svaki vlasnik, kao i za drugu imovinu, samostalno procjenjuje da li će zaključati ugovor o osiguranju sa osiguravačem.
Predmet ovog osiguranja, prije svega sve vrste motornih vozila standarne izvedbe, sve vrste priključnih, radnih i šinskih vozila i njihovi sastavni djelovi. Pri tome se pod sastavnim djelovima podrazumjeva alat, pribor i rezervni djelovi standarno isporučeni za tip vozila: radio aparat koji je ugradjen u vozilo od strane proizvodjača vozila, uredjaj za obezbedjenje od kradje, aparat za gašenje požara kao i ostali priključni uredjaji. Osnovno pravilo ja da osiguranje auto – kaska zaključuje na sumu osiguranja koju sam gubitak odredjuje. Pri tome se osiguranik može opredjeliti:

Da u momentu zaključenja ugovora, ugovori mjesečnu korekciju sume osiguranja i naravno, plaćanje mjesečne premije (koja se plaća u dvanaest rata, s obzirom da se ugovor zaključuje na godinu dana) i to za koeficient rasta cijene industriskih proizvoda koja objavljuje savezni zavod za statistiku.
Da u momentu zaključenje ugovora ugovori mjesečnu revalorizaciju sume osiguranja, uz plaćanje odgovarajućih doplata na godišnjem premiju osiguranja
Da u momentu zaključenja ugovora odredi fiksni iznos sume osiguranja koji može u toku trajanja osiguranja menjati samo ako se do promjene sume osiguranja nije desilo osigurani slučaj.

Osiguranje od auto – odgovornosti

U zakonu je definisano da vlasnik, odnosno korisnik motornih I priključnih vozila je dužan da zaključi ugovor o osiguranju od odgovornosti za štetu koju upotrebom motornih vozila pričini trećim licima usled smrti, povrede tijela, narušavanju zdravlja,uništenja ili oštećenja stvari, osim za štetu na stvarima koje je primio za prevoz.
Veliki broj novoosnovanih osiguravajućih organizacija se bavi samo vrstom osiguranja, bez odgovarajućih stručnih i materijalnih uslova, što je dovelo do erozije ovog osiguranja.
Zaključivanje ove vrste osiguranja po niskim cijenam, uz već pomenuto nepostojanje elementarnih i materijalnih preduslova, vlasnici motornih vozila ponekad praktično samo formalno osiguravaju svoju odgovornost za štete pričinjene trećim licima, tako da oštećenim, koji se mogu da naplate štetu od osiguravajućih organizacija ili mogu da je naplate samo od malog iznosa, ostaje da potpunu naknadu štete ostvaruju od štetnika putem suda. Ostvarivanje naknade šteteputem suda,a ne neposredno I u potpunosti od osiguravajućih organizacija nije u skladu sa suštinom ove vrste osiguranja.145

Obavezno osiguranje

Shodno zakonu osiguranja koja se obavezno moraju zaključiti su:
Obavezno osiguranje putnika u javnome saobraćaju od police nesrećnoga slučaja
Osiguranje vlasnika motornih i priključnih vozila od odgovornosti za štete nastale pričinjenim trećim licima
Osiguranje vlasnika vazduhoplovnih od odgovornosti za štete nastale pričinjenim trećim licima
Osiguranje depozita gradjana kod banaka i drugih finansiskih organizacija.

Osnovno pravilo je da zaključivanje ugovora o osiguranju dovoljno. Medjutim, u svim razvijenim zemljama postoje osiguranja koja se moraju zaključiti sa osiguravajućom organizacijom, s obzirom da samo na taj način može uspostaviti potpuna zaštita odredjenih dobara i odredjenih kategorija lica. U odnosu na predhodni zakon, ističemo das u zakoni, pored tri već klasičnavida obaveznoga osiguranja, uvodi I obavezno osiguranje depozita gradjana kod banaka I drugih finansiskih organizacija.

Osiguranje kredita
Kreditno osiguranje ili osiguranje kredita je posebna grana u osiguranju u kojoj je ugovarač osiguranja, tj. davalac kredita stiče pravo da u slučaju ostvarenja rizika, a to je nenaplata potraživanja

[145] Dubravko Radošević " osiguranje I kreditiranje izvoza" 1986

od korisnika kredita, koje je nastalo na osnovu predhodno zaključenog ugovora o kreditu, naplati svoje pretraživanje od osiguravača.
Kaucisko osiguranje kredita je tako osiguranje gdje dužnik sklapa sa osiguravačem ugovor, koji poverioci jamču da će njegovo potraživanje biti plaćeno, tj. ako ga ne plati dužnik poveriocu platiće ga osiguravač. Osiguranje protiv zloupotrebe poverenja predstavlja poslodavčevo obezbedjenje od štete koje poslodavac može pretrpeti usled krivičnih radnji svojih službenika.
Uobičajno je takodje podjela na medjunarodna i domaća osiguranja. Sagledavajući uslove u našim osiguravajućim organizacijama ističemo da su se u okviru medjunarodnih osiguranja kredita uglavnom najčešće sprovodio osiguranje izvoznih kredita, ali i osiguranje potraživanja od inostranih komiteta protiv komercijalnih rizika, sa ili bez perioda pripreme za izvoz.
Kod ovih osiguranja, ugovarač osiguranja je banka, odnosno drugo društveno lice, tj. davalac kredita. Osigurani rizik je rizik nenaplate dospelih rata kredita koje osiguranik, tj davalac kredita nije mogao da naplati sudskim putem, ni u izvršnome postupku od korisnika kredita ili žirant. Da bi osigurani slučaj nastupio nije dovoljno da banka ne može da naplati svoje potraživanje u sudskome postupku, već ni u izvršnome. Takodje, osiguranik slučaj nije nastupio, ako se od korisnika kredita ne može naplatiti potrađivanje u sudskome postupku , već ni u izvršnome. Takodje, osigurani slučaj nije nastupio, ako se od korisnika kredita ne može naplariti potraživanje u sudskome i izvršnome postupku, a postoji mogućnost naplate od žiranata.
Ima banka koje naplaćuju zasebno jednokratno osiguranje kredita. Tako naprimjer,u pojedinim bankam za iznos od 210.000 dinara, osiguranje iznosi 35 € i plaća se u eurima.
Takodje, klijenti imaju mogućnost da koriste grejs period kada odplaćuju samo kamatu i taj period takodje pokriva osiguranje.

Slika 5. Osiguranje kredita

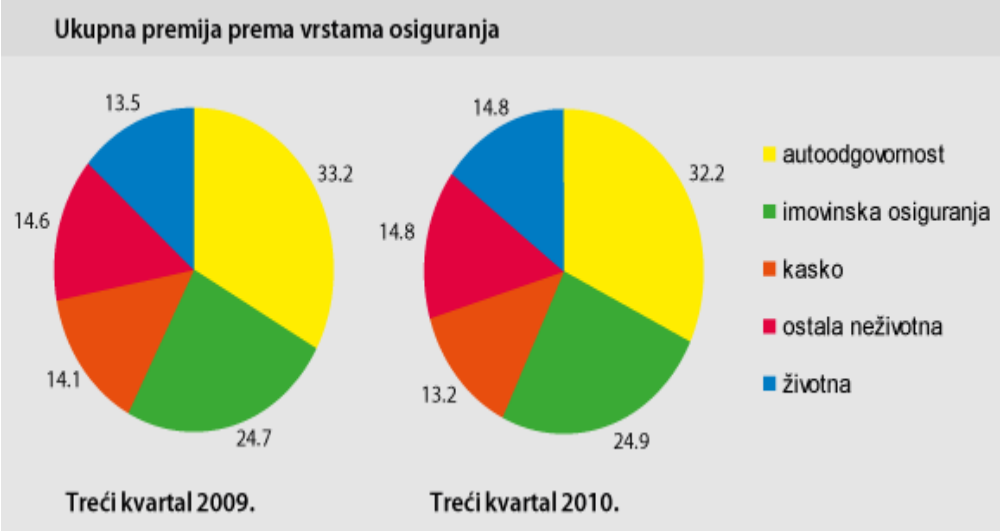
Osigurana vrijednost kod ovog tipa osiguranja je glavnica odobrenog kredita uvećani za iznos ugovorene redovne kamet. Nastanak osiguranog slučaja i isplatom nakande štete osiguravač stupa u pravo osigzranje, tj. davaoc kredita stiče pravo na regres u odnosu na korisnika kredita.

Elementi Osiguranja

Premija osiguranja

Pod premijom osiguranja podrazumjeva se iznos koji je ugovarač osiguranja dužan da plati nakon zaključenog ugovora o osiguranju, odnosno nakon što je potpisao policu osiguranja. U zakonu o osiguranju imovine i lica utvrdjena je strukrura premije osiguranja. Premija osiguranja se sastoji iz funkcionalne premije i redjiskog dohotka.

Funkcionalna premija sastoji se iz tehničke premije i doprinosa za preventivu. Medjutim, izuzetno, premija osiguranja života i osiguranje depozita gradjana na mora da sadrži doprinos za preventivu.
Tehnička premija kao onovni dio premije, služi za plaćanje šteta, ugovorenih suma osiguranja i druge namjene u skladu sa uslovima osiguranja. Doprinos za preventivu koristi se za sprovođenje mjera u cilju sprečavanja i suzbijanja rizika koji ugrožavaju imovinu i lica.



Slika 6. Premija prema vrstama osiguranja

Zaključak

Poduzetnici moraju zaštititi sebe i svoje poslove od svih nepredvidjenih dogadjaja koji bi mogli ugroziti opstanak ili spriječiti rast.
Četiri su načina postupanja sa rizikom:
Odkloniti rizik
Sam apsorbirati rizik
Prevencijom spriječiti nastajanje štetnog dogadjaja
Prenijeti rizik na druge
Da bi se odlučio koji pristup koristi, poduzetnik mora uz pomoć osiguravajućeg agenta analizirati svoju izloženost riziku. Program upravljanja rizikom stvoren takvom analizom treba:
Tačno odrediti rizike koji bi mogli prouzročiti novčane gubitke
Procjeniti koliko bi ozbiljni mogli biti takvi gubici
Odabrati najbolji način postupanja sa tim rizicima
Najbolji osiguravajući agent je samostalni agent koji nudi sveobuhvatnu uslugu osiguranja.
Mirovinski plan treba biti dio glavnog plana umirovljenja svakog preduzetnika.

PROF. DR. ZORAN TODOROVIĆ – PORESKI SISTEM CRNE GORE USAGLAŠEN SA STANDARDIMA EVROPSKE UNIJE

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Apstrakt

Autor u ovom radu želi ukazati na značaj i ulogu poreskog sistema i poreske politike u izgradnji tržišnog načina privređivanja. Pod poreskim sistemom će se podrazumijevati njegova institucionalna struktura, a pod poreskom politikom varijacije te strukture radi ostvarenja zadatih ciljeva. Ključni element ekonomske i poreske reforme je nastavak tranzicije ka tržišnoj ekonomiji sa preferiranjem tri kritična područja: razvoju motivirajuće poslovne sredine za postojeće i nove privatne biznise, privatizacije preostale državne svojine i razvoj disciplinovanog finansijskog sektora. U ovom radu posebna pažnja je posvećena ka problemu i nužnosti rasterećenja oporezivanju rada, te se ukazuje na neophodnost da poreska reforma prati trendove u okruženju i u EU, a to znači da bi se mogla uspješno provesti konsolidacija javne potrošnje i time poboljšati makroekonomsku stabilnost zemlje. Izgradnjom poreskog sistema potrošnog tipa imanentnog tržišnoj privredi stvorile bi se pretpostavke za rast i razvoj privrede.

Ključne riječi: poreski sistem, poreska reforma, indirektni poezi, direktni porezi, fiskalna konsolidacija

Abstract

The author wishes to highlight the importance and role of the tax system and tax policy in building a market economy. Under the tax system will include its institutional structure, and tax policy under variations of this structure in order to achieve the stated goals. A key element of the economic and tax reform is a continuation of the transition to a market economy with a preference for three critical areas: the development of motivating business environment for existing and new private businesses, privatization of remaining state ownership and development of disciplined financial sector. In this paper, special attention was paid to the problem and the need to relieve the taxation of labor, and the necessity of tax reform that tracks trends in the environment and in the EU, which means that it could successfully implement the consolidation of public spending and thus improve the country's macroeconomic stability. The construction of the tax system consumable type immanent market economy conditions would be created for the growth and development of the economy.

Key words: tax system, tax reform, poetry indirect and direct taxes, fiscal consolidation

Uvod

U finansijskoj teoriji pod poreskim sistemom podrazumijeva se javni prihodi i javni rashodi, odnosno sistem finansiranja javne potrošnje u najširem smislu te riječi. Želimo ukazati na sadašnje stanje u pogledu izgrađenosti i konzistentnosti poreskog sistema, nužnost da se on mijenja i način na koji je to potrebno postići, odnosno mjere koje je potrebno preduzeti. Pri tome neće uvijek biti moguće povući jasnu liniju razgraničenja između poreskog sistema i poreske politike, pogotovo ne na duži rok kad se ciljevi poreske politike javljaju kao odrednica poreske strukture. Kada je riječ o nužnosti, pravcima i vremenskoj dimenziji promjena u poreskom sistemu, neophodno je imati u vidu i potrebe izgradnje savremenog poreskog sistema svojstvenog tržišnim privredama.

Ključni element ekonomske i poreske reforme je nastavak tranzicije ka tržišnoj ekonomiji sa preferiranjem privatnog sektora. Iskustvo u centralnoj Evropi je pokazalo da napredak u ovom smislu zahtijeva istovremen napor u tri kritična područja: razvoju motivirajuće poslovne sredine za postojeće i nove privatne biznise, privatizaciji preostale državne svojine i razvoj disciplinovanog finansijskog sektora.

Sažetak pregovaračke pozicije za Crnu Goru obuhvaćenim poglavljem 16 - Porezi i poglavljem 29 - Carinska unija

Crna Gora prihvata pravnu tekovinu Evropske unije obuhvaćenu poglavljem 16 - Porezi kakva je na snazi 30.04.2013, i spremna je da ostvari njeno puno sprovođenje do pristupanja EU, s izuzetkom Direktive Savjeta 2011/64/EUo strukturi i stopama akcize koja se primjenjuje na prerađeni duvan, za čije puno sprovođenje Crna Gora traži prelazni period, i Direktive Savjeta 2006/112/EZ o zajedničkom sistemu poreza na dodatu vrijednost, za čije sprovođenje Crna Gora traži prelazni period i izuzeća od pune primjene.U narednom izlaganju daje se prikaz usaglašenosti sa EU iz poglavlja 16- Porezi i poglavlja 29- Carinska unija.

Poglavlje 16 – Porezi

Opšte posmatrano, struktura poreskog sistema u Crnoj Gori je slična onoj u državama članicama EU. Poresko zakonodavstvo je generalno na zadovoljavajućem nivou usklađenosti sa pravnom tekovinom EU u oblasti PDV-a, akciza i direktnog oporezivanja, dok je usklađenost nešto manje zadovoljavajuća u oblastima saradnje, uzimanje pomoći i kompjuterizacije.
Međutim, kao što je istaknuto u Izvještaju o analitičkom pregledu usklađenosti, u dijelu institucionalnih i administrativnih kapaciteta, Poreska uprava mora uspostaviti odgovarajuće sisteme i procedure i obezbijediti kadar kako bi primijenila i sprovela pravnu tekovinu obuhvaćenu ovim poglavljem i obezbijedila nastavak homogenog i usklađenog pristupa EU. To zahtijeva definisanje politika, sistema, procedura, tehnologija i instrumenata koji su kompatibilni sa zahtjevima i standardima EU. Potrebni su značajni napori na daljem usklađivanju kako bi se riješili preostali propusti i obezbijedila primjena i sprovođenje pravne tekovine.
Crna Gora je još uvijek u ranoj fazi usklađivanja sa pravnom tekovinom i potrebno je uložiti značajne napore u opremanju poreske administracije odgovarajućim IT sistemima, procedurama i osobljem kako bi se implementirala i sprovodila pravna tekovina EU. S tim u vezi, potrebno je razviti strategiju za unapređenje informaciono-tehnoloških kapaciteta i rezultata, i stvoriti uslove za inter-operabilnost i međusobnu povezanost svojih IT sistema kako bi se omogućila razmjena računarskih podataka s članicama EU.
Naime, u pogledu kompjuterizacije u oblasti PDV-a, Crna Gora treba da prilagodi svoje IT sisteme kako bi omogućila inter-operabilnost i povezanost sa sistemima EU (VIES). Takođe, potrebno je osigurati da je razmjena informacija među državama članicama, vezano za posebnu šemu za elektronske usluge koje građanima EU nude trgovci koji ne pripadaju EU, uspostavljena i povezana sa sistemima EU, kao i za efundiranje PDV-a kako je predviđeno Direktivom Savjeta 2008/9/EZ.
U pogledu akciza, potrebno je uspostaviti nacionalni sistem nadzora za kretanje akciznih proizvoda, i razviti infrastrukturu koja omogućava fizičku inter-operabilnost i povezanost sa Sistemom za kontrolu kretanja akciza – EMCS i njegovim pomoćnim sistemima: evropskim registrom operatera SEED i sistemom za praćenje CS/MISE. Pri razvoju EMCS-a potrebno je uzeti u obzir blagovremeno usklađivanje s pravnom tekovinom (Directiva Savjeta 2008/118/EZ) koja se tiče opštih pravila za akcize.
Kada je u pitanju direktno oporezivanje, potrebno je prilagoditi IT sistem kako bi na dan pristupanja bila omogućena razmjena informacija predviđena zakonima EU i bila osigurana pravilna primjena direktiva o oporezivanju preduzeća i administrativnoj saradnji.
Takođe, u tehničkom smislu, biće potrebno pripremiti se za razmjenu svih drugih oblika informacija u domenu oporezivanja.
Konačno, kako bi se ukupan učinak Crne Gore u oblastima poreza i carine, unaprijedio, preporuka Evropske komisije je da se razmotri mogućnost međusobnog integrisanja informaciono-tehnološkog sistema za carine i poreze.

Poglavlje 29 – Carinska unija

Generalno posmatrano, propisi Crne Gore u oblasti carinske unije su u velikoj mjeri usklađeni s pravnom tekovinom, ali su identifikovana određena odstupanja gdje je potrebna dodatna harmonizacija. Fokus je potrebno usmjeriti na dodatnom jačanju administrativnih kapaciteta i obezbjeđivanju jednoobrazne i efikasne primjene pravila. Kada je u pitanju kompjuterizacija, potrebno je izraditi sveobuhvatnu strategiju o uspostavljanju neophodnih IT sistema za razmjenu informacija sa državama članicama EU do trenutka pristupanja.
Od prvog dana pristupanja, Uprava carina Crne Gore će morati da upravlja i kontroliše granice Crne Gore u potpunosti u skladu sa pravnom tekovinom EU, imajući u vidu da će granice Crne Gore nakon pristupanja u velikoj mjeri biti spoljnje granice Unije. S tim u vezi, Uprava carina mora da uspostavi sve neophodne instrumente kako bi razvila jasne i efikasne funkcije carinske kontrole u lukama, aerodromima, kopnenim granicama i carinskim ispostavama unutar zemlje, koje će biti u mogućnosti da omogućavaju protok legitimnih putnika i trgovine, a da se istovremeno obezbijedi naplata nacionalnih i EU prihoda, kao i da se zaštite domaći državljani i državljani EU.
Kada je u pitanju korišćenje informacionih tehnologija, EU zahtijeva da su carinske procedure kompjuterizovane i da se IT sistemi koji se koriste od strane carinskih uprava povežu sa EU sistemima u ovoj oblasti. Vezano za tranzitne procedure, neophodno je obezbijediti da nacionalni tranzitni IT sistem bude kompatibilan i povezan s Novim kompjuterizovanim tranzitnim sistemom EU. Ovo je preduslov za članstvo u Konvenciji o zajedničkom tranzitu, a preporučeno je da Crna Gora pristupi istoj prije pristupanja EU. Kada su u pitanju tarife i kontrole izvoza/uvoza, biće potrebno omogućiti povezivanje sa nekoliko IT sistema EU kako bi se garantovala ispravna primjena eksternih tarifa EU, komercijalne politike EU i sigurnosnih mjera.
Trenutno Crna Gora nema IT sistem koji je povezan sa EU sistemima i potrebni su značajni resursi kako bi se obezbijedilo da se razmjena kompjuterizovanih podataka između Uprave carina Crne Gore i EU pripremi i postane operativna do trenutka pristupanja. Imajući ovo u vidu, kao i u poglavlju 16, preporučeno je razmotriti mogućnost intergisanja carinskog IT sistema i poreskog IT sistema kako bi se dodatno unaprijedila efikasnost.

Poreski sistem u uslovima međunarodnih ekonomskih integracija

Globalizacija kao proces stvaranja jedinstvenog ekonomskog i političkog prostora, povezuje i objedinjuje narode i države. Sva dešavanja i previranja u jugoistočnoj i istočnoj Evropi u posljednjoj deceniji 20.vijeka, čak i nešto ranije, dirketno su posljedica dejstva novog svjetskog poretka u globalizaciji i tranziciji.
Osnovna karakteristika razvoja savremenog svijeta je sve izraženija, sve šira i dublja integracija nacionalnih privreda. Na tom proširenju i produbljenju ekonomskih integracija treba savladati mnoge preporuke, konfrontirati prednosti i nedostatke koji iz tih integracijskih kretanja proizilaze za pojedine nacionalne ekonomije. Sasvim je sigurno da pojedini porezi, poreski sistemi, kao i mjere poreske politike pri tom imaju ne samo specifičnu već i posebnu ulogu – oni mogu biti prepreka tom procesu, ali i onaj element internacionalizacije ekonomskih odnosa koji će te odnose omogućiti i unaprijediti.
U članu 99. rimskog ugovora iz 1957. godine osnovana je Eropska ekonomska zajednica, čije su države – osnivači bile Zapadna Njemačka, Francuska, Belgija, Luksemburg, Holandija i Italija146.
Osnivanje Evropske unije, odnosno EEZ-a ili EZ-a zasnovano je na takozvane četiri slobode: slobodu kretanja ljudi, dobara, usluga i kapitala – kao osnovnim pretpostavkama za postojanje i uspješno funkcionisanje jedinstvenog evropskog ekonomskog tržišta. Stoga su osnovni zadaci poreske politike EU posljednjih godina usko vezani za razvoj unutrašnjeg tržišta, jačanje monetarne unije i naprijed istaknute ekonomske integracije. Regulisanjem unutrašnjeg tržišta već ranih 1990-tih godina određen je pravni okvir za područje indirektnih poreza (PDV i akcize), dok za područje direktnih poreza (porez na dohodak i porez na dobit) nije jasno određena pravna podloga. Radi poboljšanja

[146]Od 1986. godine Evropska zajednica (EZ), a od 1993. godine Evropska unija (EU). U literaturi se često koristi izraz Zajendica ili Unija, pri čemu se mi služimo tim nazivima zavisno od vremena kada se ta Evropska asocijacija spominje.

koordinacije i usklađivanja poreske politike između zemalja članica, 1997.godine, detaljnije se utvrđuju osnovni smjerovi poreske politike (COM – (97) 495) koji treba da podstiču stabilizaciju poreskih prihoda zemalja članica, uklanjanje teškoća u funkcionisanju unutrašnjeg tržišta.
Napominjemo da su različitosti poreskih sistema bile permanentna prepreka punom ostvarivanju tih ciljeva, čije rješenje treba da se ostvari kontinuiranim usklađivanjem poreskih sistema zemalja članica. Međutim, pokazalo se da je takvo usklađivanje teško postići na području oporezivanja u cjelini. Ipak, znatniji rezultati u harmonizaciji različitih sitema ostvareni su na području indirektnih poreza. Unutar direktnih poreza učinci su znatno manji. Svakako da određeni aspekti na području oporezivanja dohotka i nijesu predmetom harmonizacije, te svaka članica ima diskreciono pravo vlastitog regulisanja, dok su određeni rezultati postignuti na području poreza na dobit. Smjernice su pravni instrument usklađivanja na području oporezivanja među zemljama članicama EU. Naime, smjernicama se propisuje uređenje određenih odnosa, a zemlje članice su obavezne u svoje zakonodavstvo unijeti odredbe kojima se postižu ciljevi određenih smjernica.
Crna Gora bi trebala u procesu približavanja punopravnom članstvu EU da uskladi svoje propise sa propisima EU. Svakako da će adekvatnim fiskalnim reformama u narednom periodu značajno približiti svoj poreski sistem i poresku politiku tržišnim uslovima privređivanja.

Poreski sistem imanentan tržišnoj privredi

U teoriji i praksi je prihvaćeno da se pod poreskim sistemom podrazumijeva skup raznovrsnih oblika poreza, doprinosa, taksa i drugih dažbina koji postoje u jednoj državi, pri čemu se, uz zadržavanje osobenosti svakog od oblika prihoda, obezbjeđuje i njihova homogenost, prije svega u ciljevima i učincima kako svakog od pojedinih oblika javnih prihoda tako i poreskog sistema u cjelini.
Polazeći od brojnih i raznovrsnih zadataka poreskog sistema, kao i opštih zahtjeva sistema oporezivanja ne samo da postoji jedan poreski oblik koji može da objedini različite ciljeve i poželjne učinke oporezivanja nego nema ni univerzalne formule vezane za institucionalnu osnovu, nosioca fiskalnih ovlašćenja i sistema javnog finansiranja i strukture poreskog sistema (vrste poreza, odnos između direktnih i indirektnih poreza itd.). Istovremeno, tzv. poreska formula, odnosno opšti elementi poreskog sistema, pogotovo izvedeni elementi, odnosno određenje pojedinih finansijskih instituta, i u okviru jedne države doživljavaju u relativno kratkom roku različite veće ili manje redefinisanje i inovacije.
U finansijskoj teoriji i praksi preovladava mišljenje da poreski sistem kompatibilan tržišnim privredama mora zadovoljiti slijedeće zahtjeve, što P. Jurković naglašava147:

a ⇨ da ne smije interferirati s racionalnom alokacijijom resursa, tj. da mora što je više moguće iti balokativno neutralan;
b ⇨ da osigura stabilan i optimalan iznos javnih prihoda za finansiranje javnih dobara;
c ⇨ da pruži izvjesnost poreskim obveznicima u pogledu plaćanja poreskih obaveza;
d ⇨ da poreski teret raspoređuje na pravičan, društveno-politički prihvatljiv način;
e ⇨ da bude što jednostavniji, poreskim obveznicima razumljiviji i jeftiniji u primjeni i
f ⇨ da bude fleksibilan, tj. da ravnomjerno reaguje na promjene ekonomskih uslova. Uz to poreski sistem mora podsticati na strukturu primjene u ekonomijama u tranziciji koje vode zgradnju itržišne privrede“.

Poreski sistem Crne Gore

Poreska politika Crne Gore zasniva se na: sveobuhvatnosti poreskih obveznika (fizičkih i pravnih lica), niskim i konkurentnim poreskim stopama i veoma selektivnim poreskim olakšicama.
Poreski sistem Crne Gore sastoji se od više vrsta poreza i drugih fiskaliteta.
Direktne poreze, koji terete privrednu sposobnost obveznika pogađajući neposredno (direktno) njegovu imovinu ili prihode, čine: porez na dobit pravnih lica, porez na dohodak fizičkih lica, porez

[147] P. Jurković: Kreiranje poreskog sistema za podsticanje strukturnih promjena i prelazak na tržišnu privredu, Finansijjska praksa, Zagreb, 1990., broj 9 – 10, str. 445.

na nepokretnost, porez na upotrebu putničkih motornih vozila, plovnih objekata, vazduhoplova i letilica i porez na premije osiguranja.
Indirektni porezi, koji se naplaćuju u vezi s radnjama proizvodnje, potrošnje ili razmjene dobara, dijele se na: PDV, akcize, carine, porez na promet nepokretnosti i porez na promet upotrebljavanih motornih vozila, plovnih objekata, vazduhoplova i letilica.
Pod drugim fiskalitetima smatraju se:doprinosi za obavezno socijalno osiguranje, takse, koncesije i naknade.
U strukturi poreskih prihoda dominiraju indirektni porezi i to porez na dodatu vrijednost i akcize, a potom slijede porez na dohodak fizičkih lica i porez na dobit.
Državni prihodi koji u potpunosti pripadaju državi su: porez na dodatu vrijednost, akcize i porez na dobit.
Zajednički prihod koji pripada budžetu Države (77%) i budžetima opština (23%) je porez na dohodak fizičkih lica.
U cilju sprječavanje izbjegavanja plaćanja i utaje poreza i suzbijanja sive ekonomije, Ministartsvo finansija je početkom 2012. godine formiralo Komisiju za suzbijanje sive ekonomije. Jedan od zadataka Komisije je priprema Akcionog plana za suzbijanje sive ekonomije, koji usvaja Vlada Crne Gore i koji sadrži mjere za unaprjeđenje zakonodavnog okvira, operativnih aktivnosti, institucionalnih kapaciteta, edukacije i saradnje između nadležnih organa. Komisija će kvartalno izvještavati Vladu Crne Gore o realizaciji i efektima mjera koje su utvrđene Akcionim planom. Efekti sprovedenih aktivnosti na polju suzbijanja sive ekonomije ogledaju se u poboljšanju fiskalne discipline poreskih obveznika, povećanju budžetskih prihoda i unaprjeđenju saradnje i koordinacije nadležnih inspekcijskih organa.

Indirektno oporezivanje

Porez na dodatu vrijednost (PDV). Sistem indireknog oporezivanja u Crnoj Gori regulisan je Zakonom o porezu na dodatu vrijednost („Sl. list RCG“, br. 65/01, 38/02, 72/02, 21/03, 76/05 i „Sl. list CG“, br. 16/07 i 29/13) i nizom podzakonskih akata za sprovođenje ovog zakona (uredbi, pravilnika, uputstava).
Zakon o porezu na dodatu vrijednost donesen je krajem 2001, a primjenjuje se od 1.04.2003. kada je njime zamijenjen porez na promet proizvoda i usluga. Zakon je u značajnoj mjeri usklađen s Direktivom Savjeta 2006/112/EZ.
Predmet oporezivanja je promet proizvoda i usluga koje poreski obveznik vrši u okviru obavljanja svoje djelatnosti uz naknadu, kao i uvoz proizvoda u Crnu Goru. Poresku osnovicu za obračunavanje i plaćanje PDV-a čini naknada za isporučene proizvode i izvršene usluge u koju nije uključen PDV, a naknada je sve ono što primalac proizvoda, odnosno korisnik usluga treba dati ili platiti, osim PDV-a.

Poreski obveznik je svako pravno ili fizičko lice koje samostalno i trajno obavlja djelatnost s namjerom ostvarivanja prihoda, a koje je za poslednjih 12 mjeseci ostvarilo ili namjerava da ostvari oporezivi promet koji je veći od 18.000 €. Obveznicima PDV-a smatraju se državni organi i organizacije, jedinice lokalne samouprave i druga javno pravna tijela ukoliko vrše promet proizvoda, odnosno usluga koji je, prema ovom zakonu, oporeziv kod drugih poreskih obveznika.
Opšta stopa PDV-a koja se primjenjuje u Crnoj Gori je 19% (od 1. 07. 2013, a do tada je iznosila 17%), a primjenjuju se još dvije snižene stope od 0% i 7%.
Odredbama Zakona je, takođe, propisano da se prometom proizvoda ne smatra promet zemljišta (poljoprivrednog, građevinskog, izgrađenog i neizgrađenog). Zemljište se oporezuje porezom na promet nepokretnosti, shodno Zakonu o porezu na promet nepokretnosti po stopi od 3%, a plaća ga kupac nepokretnosti. Dakle, prema postojećoj regulativi, promet zemljišta nije oporeziv PDV-om, ali je oporeziv po drugom zakonu, tj. Zakonu o porezu na promet nepokretnosti(“Sl. list CG“, br. 36/13).
Porezom na dodatu vrijednost se oporezuje prvi promet novoizgrađenih objekata, a svaki sledeći promet se oporezuje porezom na promet nepokretnosti po stopi od 3%.
Plaćanja PDV-a su oslobođene usluge davanja u zakup stambenih prostorija za svrhe stanovanja (duže od 60 dana), dok se davanje u zakup stambenih prostorija kraće od 60 dana oporezuje PDV-om. Postoje i situacije da se vrši izdavanje stanova za smještaj turista i neke druge namjene koje nijesu stanovanje, te su takve usluge oporezive PDV-om.

Poreski obveznici koji obavljaju oporezive isporuke proizvoda i usluga imaju pravo na odbitak ulaznog PDV-a uz uslov da računi za nabavljene proizvode i obavljene usluge sadrže sve podatke propisane odredbama člana 32 stav 1 Zakona o PDV-u, da je isporuka proizvoda ili usluga izvršena (primljena) od strane drugog obveznika PDV-a, da za primljene proizvode ili usluge nije isključeno pravo na odbitak ulaznog PDV-a, te da su primljeni proizvodi, odnosno usluge namijenjeni za obavljanje djelatnosti poreskog obveznika. Ulaznim PDV-om se smatra i iznos PDV-a koji je obračunao i naplatio carinski organ kod uvoza.

Akcize. Akcizni sistem Crne Gore uređen je Zakonom o akcizama („Sl. list RCG“, br. 65/01, 76/05 i „Sl. list CG“, br. 76/08, 50/09, 78/10, 40/11, 61/11, 28/12 i 38/13), čija su osnovna rješenja u primjeni od 1.04.2002. i nizom podzakonskih akata za sprovođenje ovog zakona (uredbi, pravilnika). Akciza se plaća na akcizne proizvode proizvedene na području Crne Gore i akcizne proizvode koji se uvoze u Crnu Goru, i to na:

-alkohol i alkoholna pića;
-duvanske proizvode;
-mineralna ulja, njihove derivate i supstitute;
-kafu148 i
-gaziranu vodu.

Zakonom je propisan jednak poreski tretman za sve akcizne proizvode, domaće i uvozne.
Nadležnost nad sprovođenjem i primjenom Zakona o akcizama vrše Poreska uprava (za domaći promet) i Uprava carina (kod uvoza). Obveznik plaćanja akcize je proizvođač i uvoznik akciznih proizvoda dok je Zakonom predviđena mogućnost da se akcizna obaveza može prenijeti sa uvoznika, odnosno proizvođača, na imaoca akcizne dozvole, odnosno oslobođenog korisnika akcize.

Direktno oporezivanje

Ključni propisi kojima se reguliše sistem direktnog oporezivanja u Crnoj Gori su Zakon o porezu na dohodak fizičkih lica („Sl. list RCG”, br. 65/01, 37/04 i 78/06 i „Sl. list CG”, br. 86/09, 14/12, 6/13 i 62/13) i Zakon o porezu na dobit pravnih lica („Sl. list RCG”, br. 65/01 i 80/04 i „Sl. list CG”, br. 40/08, 86/09, 14/12, 61/13).

Zakon o porezu na dohodak fizičkih lica uređuje obavezu da fizička lica plaćaju porez na dohodak. Obveznik poreza na dohodak fizičkih lica je rezidentno, odnosno nerezidentno fizičko lice koje ostvari oporezivi dohodak. Predmet oporezivanja rezidenta je dohodak koji ostvari u Crnoj Gori i izvan Crne Gore, a za nerezidenta je dohodak koji ostvari u Crnoj Gori.
Izvore dohotka predstavljaju prihodi od: ličnih primanja,samostalne djelatnosti,imovine i imovinskih prava, kapitala i kapitalnih dobitaka.
Poreska stopa je proporcionalna i iznosi 9%, a izuzetno za 2013. i 2014. godinu uvedeno je oporezivanje po višoj stopi od 15% na lična primanja koja su u mjesečnom bruto iznosu veća od 720 €, na iznos preko 720 €.

Zakon o porezu na dobit pravnih lica uređuje obavezu plaćanja poreza na dobit.
Poreski obveznici su rezidentna i nerezidentna pravna lica koja obavljaju djelatnost radi sticanja dobiti. Pravno lice koje plaća porez na dobit je organizovano kao: komanditno društvo, akcionarsko društvo, društvo s ograničenom odgovornošću i dio stranog pravnog lica (stalna poslovna jedinica).
Predmet oporezivanja rezidenta je dobit koju rezident ostvari u Crnoj Gori i izvan Crne Gore, a za nerezidenta dobit koju nerezident ostvari u Crnoj Gori. Osnovicu poreza na dobit predstavlja oporeziva dobit poreskog obveznika.

[148]Zakonom o izmjenama i dopunama Zakona o akcizama (“Sl. list CG”, br. 38/13), koji se primjenjuje od 3. VIII 2013, propisano je da će se odredbe Zakona koje se odnose na oporezivanje kafe (čl. 56a i 56b Zakona), primjenjivati do 31. XII 2014.

Za utvrđivanje oporezive dobiti priznaju se prihodi i rashodi u iznosima utvrđenim bilansom uspjeha, u skladu sa zakonom kojim se uređuje računovodstvo i međunarodnim standardima, izuzev prihoda i rashoda za koje je ovim zakonom propisan drukčiji način utvrđivanja.
Stopa poreza na dobit je proporcionalna i iznosi 9%.
Porez na dobit ne plaćaju: državni organi, organi državne uprave, organi lokalne uprave, javni fondovi, javne ustanove, turističke organizacije, sportski klubovi, sportska društva i savezi, vjerske zajednice, umjetnička udruženja, političke stranke, komore, sindikati i nevladine organizacije, ako su u skladu s posebnim zakonom osnovane za obavljanje nedobitne djelatnosti.
Izmjenama Zakona o porezu na dobit pravnih lica i Zakona o porezu na dohodak fizičkih lica, koje se primjenjuju od 1.01.2014, zakonske odredbe koje se odnose na poreske olakšice i oslobođenja su u velikoj mjeri usklađene s pravnom tekovinom EU o državnoj pomoći.

Kako bi se izbjeglo dvostruko oporezivanje, rezidentnom poreskom obvezniku (pravno i fizičko lice), koji stiče dobit/dohodak izvan Crne Gore i plaća porez u drugoj zemlji, odobrava se poreski kredit u visini plaćenog poreza u toj zemlji, s tim da ne može preći iznos poreza koji je utvrđen crnogorskim zakonima (9%). Ugovori o izbjegavanju dvostrukog oporezivanja imaju primat nad odredbama domaćeg zakonodavstva. Crna Gora ima 40149 ugovora o izbjegavanju dvostrukog oporezivanja koji su na snazi, uključujući 21 od 28 država članica EU. Nisu potpisani ugovori o izbjegavanju dvostrukog oporezivanja sa sljedećim državama članicama EU: Austrijom, Estonijom, Grčkom, Luksemburgom, Litvanijom, Portugalom i Španijom. Koristi se OECD model.
Kada je pitanju razmjena obavještenja, shodno važećem Zakonu o bankama, banka ne može učiti dostupnim poreskom organu podatke koji predstavljaju bankarasku tajnu,te zbog toga poreski organ ne može vršiti razmjenu informacija sa zemljama članicama EU o prihodima nerezidentnih fizičkih lica ostvarenim po osnovu kamata na štednju.
U ugovorima o izbjegavanju dvostrukog oporezivanja koje je Crna Gora potpisala nakon sticanja nezavisnosti, sadržano je rješenje po kojem nadležni organi država ugovornica ne mogu da odbiju dostavljanje obavještenja samo zato što ta obavještenja posjeduje banka, druge finansijske institucije, zastupnik ili lice koje radi u agenciji ili u fiducijarnom svojstvu ili ima veze svlasništvom interesa u licu. Dakle, samo s državama s kojima je Crna Gora zaključila ugovor o izbjegavanju dvostrukog oporezivanja i u kojima je sadržano gore navedeno rješenje, poreski organ može vršiti razmenu informacija.

Operativni kapaciteti i kompjuterizacija

Administrativna jedinica u čijoj je nadležnosti IT sistem Poreske uprave je Sektor za informacionu tehnologiju u oblasti poreskog sistema. U njemu trenutno radi 19 službenika, ali se planira povećanje broja službenika za minimum 20%. Održavanje nekih projekata vrši se eksterno.
Poreska uprava ima mrežu kojom su povezane sve područne jedinice s centralom u Podgorici i koja omogućava Intranet okruženje potrebno za rad svih aplikacija u IT sistemu PU.

IT sistem Poreske uprave se sastoji od nekoliko sistema koji su razvijani u različito vrijeme i za različite potrebe i koji su djelimično povezani. U okviru njega postoje centralni registar poreskih obveznika i osiguranika (CROO), Centralni Registar Privrednih Subjekata (CRPS) i portal za registraciju poreskih obveznika. Elektronsko podnošenje prijava omogućeno je za prijavu poreza na dohodak fizičkih lica i doprinose, a u toku je nadogradnja IT sistema koja će obuhvatiti elektronsko podnošenje: PDV prijava, prijava poreza na dobit pravnih lica, finansijskih iskaza (bilansa stanja i bilansa uspjeha).
Poreska uprava je 29.05.2013. usvojila dokument pod nazivom Analiza i strategija informacionog sistema Poreske uprave. U dokumentu je data detaljna analiza informacionog sistema, dugoročna (pet godina) i kratkoročna (do kraja tekuće godine) strategija u dijelu koji se odnosi na postojeći IT sistem, dok segment koji se odnosi na međupovezanost, interoperabilnost i pridruživanje EU nije obuhvaćen. Strategija informacionog sistema Poreske uprave je usaglašena s nezavisnim revizorskim izvještajem IT sistema Poreske uprave od 22.03.2013.

[149]Od 1. I 2014. primjenjuje se i Ugovor s Azerbejdžanom.

Usklađivanje zakonodavnog i institucionalnog okvira sa pravnom tekovino EU

Crnogorsko zakonodavstvo u velikoj je mjeri usklađeno s pravnom tekovinom EU u dijelu koji se odnosi na poglavlje "Porezi". Potpuna usklađenost s pravnom tekovinom EU biće, u ovom poglavlju, postignuta najkasnije do dana pristupanja Crne Gore EU, uz izuzetak Direktive Savjeta 2011/64/EU o strukturi i stopama akcize koja se primjenjuje na prerađeni duvan, za čije puno sprovođenje Crna Gora traži prelazno razdoblje, te Direktive Savjeta 2006/112/EZ o zajedničkom sistemu poreza na dodatu vrijednost, za čije sprovođenje Crna Gora traži prelazna razdoblja i izuzeća od pune primjene.
U Crnoj Gori postoji odgovarajući institucijalni okvir za sprovođenje pravne tekovine u ovom poglavlju, koji će biti dodatno unaprijeđen jačanjem postojećih tijela.
Usvajanje Poslovne strategije Poreske uprave, koja će obuhvatati period od 2014-2019, planirano je za drugo polugodište 2014. Strategijom će biti precizno razrađen period 2014-2016, a za ostali period biće urađene smjernice i ciljevi u skladu s programima Vlade i Ministarstva finansija za ovaj period. Strategija će obuhvatiti oblasti međunarodne saradnje, IT razvoja i procesa, kao i razvoj institucionalnih kapaciteta. Ovaj dokument će biti usmjeren na sveobuhvatnu nadogradnju IT strategije i jačanje administrativnih i operativnih kapaciteta kroz sistematizaciju novih radnih mjesta i sveobuhvatnu obuku zaposlenih.
Takođe,Ministarstvofinansija će najkasnije do kraja 2014. Godine usvojiti Strategiju koja će se odnositi na zakondavni okvir i usklađivanje PDV-a, akciza i direktnih poreza s pravnom tekovinom EU.
Komisija za subijanje sive ekonomije će u narednom periodu nastaviti s preduzimanjem sistemskih mjera na sprječavanju nelegalnog poslovanja i smanjenju neformalne ekonomije, i s tim u vezi pripremitiAkcioni plan za 2014. godinu. Osnovno opredjeljenje Komisije u borbi protiv sive ekonomije je nulta stopa tolerancije, uz poštovanje principa neselektivnosti i pune transparentnosti i uz primjenu rigoroznije kaznene politike. Ministarstvo finansija će najmanje dva puta godišnje izvještavati Vladu Crne Gore o efikasnosti u radu institucija, odnosno stepenu i kvalitetu izvršavanja mjera utvrđenih Akcionim planom za 2014.
U cilju postizanja pune i efikasne primjene pravne tekovine do pristupanja EU, Crna Gora će, uz izuzetke navedene na početku ovog poglavlja, nastaviti s daljim usklađivanjem zakonodavstva i jačanjem svoje administrativne sposobnosti. Aktivnosti i mjere koje Crna Gora u tom smislu planira preduzeti opisane su u nastavku Pregovaračke pozicije.

Mjere za unapređenje fiskalnog sektora

Preduslovi i odrednice fiskalne transparentnosti

Godine 1998.IMF (Međunarodni monetarni fond) je uveo smjernice za fiskalnu transparentnost (Kodeks fiskalne transparentnosti), a 2002.godine i OECD je na istim pretpostavkama donio smjernice za svoje članice koje se sastoje od tri grupe. Prva grupa smjernica definiše sastavne djelove izvještaja o budžetu koje vlade trebaju objavljivati, njihovu dinamiku te podatke koje trebaju sadržavati pojedini izvještaji. Smjernice takođe preporučuju i izradu predizbornog izvještaja koji bi utvrdio opšte strane državnih finansija prije promjene vlasti, a koji sadrži jednake podatke kao i polugodišnje izvještaje što ga čini dobrom polaznom osnovom za javne rasprave. Druga grupa smjernica odnosi se na finansisjke i nefinansijske podatke koje izvještaji trebaju sadržavati kako bi se osigurala vjerodostojnost i cjelovitost izvještavanja (računovodstveni standardi, revizija i sl.). u skladu smjernicama koje propisuje Kodeks IMF, fiskalna transparentnost zahtijeva pružanje sveobuhvatnih i pouzdanih inforamcija o prošlim, sadašnjim i budućim aktivnostima vlade te pomaže pri uočavanju potencijalnih rizika u fiskalnom okviru, čime treba doprinijeti ranom prepoznavanju kriza i time smanjiti opasnost od njenog izbijanja. Isto tako, fiskalna transparentnost potrebna je takođe i biračima jer im pruža podatke o radu nacionalne vlade, a one vlade čije poslovanje je transparentnije imaju i olakšan pristup međunarodnim tržištima kapitala. Svakako da se ovim doprinosi kako uspješnom upravljanju nacionalnim finansijama, tako i poboljšanju odgovornosti kreatora te politike prema biračima i boljoj međusobnoj komunikaciji.

Kodeks IMF o fiskalnoj transparentnosti sastoji se od četiri osonovna načela koji obuhvataju:
1❑ jasno definisanu ulogu i nivo odgovornosti državnog i javnog sektora,
2❑ dostupnost informacija o budžetskom procesu,
3❑ javno objavljivanje podatka i
4❑ osiguranje integriteta fiskalnih podataka.

Poreska konkurencija i državne potpore u EU

Već smo istakli da, država mjerama fiskalne politike na strani javnih prihoda i javnih rashoda može uticati na izgradnju konkurentnosti, posebno u kontekstu strukturne politike. Da pojedine mjere fiskalne politike imaju svojevrstan učinak pokazuje aktiviranje EU i njenih institucija oko pojave kao što je poreska konkurencija. Za sprečavanje takve jedne pojave EU nastoji da utiče na formulisanje raznih poreskih mjera a posebno državnih potpora.
Poreska konkurencija u EU je jedna pojava nastala upravo iz namjere da se putem raznih fiskalnih mjera snizi efektivno poresko opterećenje sve u cilju privlačenja kapitala i povećanje konkurentnosti. Takvu strategiju su koristile mnoge srednje i istočne evropske zemlje pa je u „starim“ zemljama članicama EU to smatrano nelojalnom konkurencijom.
Štetna poreska konkurencija posebno se ogleda u području oporezivanja preduzeća. Naime, poreska konkurencija nije samo problem u EU. U procesu globalizacije poreska konkurencija se može posmatrati kao međunarodno pitanje koje utiče na društeno-ekonomske tokove u cijelom svijetu. Model koji se u EU koristi za borbu protiv štetne poreske konkurencije uobličen je u dokumentu Kodeks ponašaja pri oporezivanju preduzeća (engl.Code of Conduct for Business Taxation) (European Council, 1998). Kodeks je dokument kojim se zemlje članice EU obavezuju da neće prihvatati nove sisteme oporezivanja koji bi među njima uzrokovali štetnu poresku konkurenciju. Treba istaći, da se tim dokumentom zemlje članice EU obavezuju da postupno uklanjaju stare, odnosno postojeće, sisteme koji u sebi sadrže razne oblike neporeskih podsticaja i drugih instrumenata koji uzrokuju poresku utakmicu među zemljama članicama EU. Kodeks je usmjeren prvenstveno na oporezivanje dobiti, ali i na druge mjere kao razne olakšice i državne potpore koje bitno snižavaju efektivnu poresku stopu.150
Iz navedenog se nameće logičan zaključak da je neophodno povećati porez na potrošnju (PDV, akcize), a prihodi od povećanja bi se iskoristili kao kompenzacija za smanjenje poreskog opterećenja rada kako bi se stimulisalo zapošljavanje i dodatno stimulisalo ulaganje domaćeg i ino kapitala.

Pojam i stepeni poreske harmonizacije

Jedan od ciljeva formulisanih u Ugovoru o osnivanju EU predstavlja uspostavljanje jedinstvenog tržišta, koje je praćeno postepenim usklađivanjem ekonomskih politika zemalja-članica. Jedinstveno tržište podrazumijeva slobodno kretanje dobara, usluga, ljudi i kapitala u uslovima konkurencije. S obzirom na to da postoje razlike u poreskim sistemima zemalja-članica EU, kao i u nacionalnim poreskim politikama koje one vode određena poreska harmonizacija postala je neophodan uslov funkcionisanja jedinstvenog tržišta Unije. U njenom odsustvu, tržište bi se fragmentizovalo duž nacionalnih granica.
Iskustva pokazuju da poresku harmonizaciju nije lako sprovesti u praksi. Ona predstavlja vrlo složen i kompleksan proces pošto često nije do kraja potpuno jasno šta se podrazumijeva pod ovim terminom. Postoji više različitih mogućih značenja pojma poreska harmonizacija. Na primjer, jedno od značenja je Doserov (Dosser) stav da poreska harmonizacija podrazumijeva „poresku saradnju između zemalja u okviru procesa intergracije u carinsku uniju ili ekonomsku uniju.151 Ovakva definicija bi, međutim, više odgovarala nekim ranijim vremenima, pošto ne uzima u obzir razvoj koji se dogodio poslednjih godina. Drugi autor, Raunds (Rounds) smatra da se harmonizacija odnosi na „sve situacije u kojima se

[150] Protiv štetne poreske konkurencije postoji nekoliko inicijativa na globalnom planu. Najpoznatiji modeli borbe protiv takvih pojava su modeli.Organizacije za ekonomsku saradnju i razvoj (OECD). Model OECD-a je šireg karaktera i obuhvata i zemlje koje nisu članice te organizacije, te se može reći da je model OECD-a poslužio kao osnova razvijanju evropskog modela borbe protiv štetne poreske konkurencije (napomena autora).
[151] Vidi: D.Dosser, British Taxation and the Common Market, Charles Knight, 1973.

razlike u oporezivanju između zemalja smanjuju, i to, ili putem saradnje između zemalja, ili posredstvom nacionalne politike koju vodi centralna vlast u državi".152 U isto vrijeme, on priznaje da „potpuno uniformisan poreski sistem ne može da bude optimalan, niti praktičan". U finansijskoj literaturi se može sresti i određenje ovog pojma, u smislu „postupka uklanjanja poreskih barijera i razlika između poreskih sistema različitih zemalja".153 Ali, iz navedene definicije nije dovoljno jasno da li takav postupak treba da se nastavi sve dok se sve takve barijere i razlike ne uklone, ili, eventualno, može da se okonča i prije toga. Potpuna harmonizacija bi mogla da pretpostavi da svaka zemlja ima potpuno identičan poreski sistem (tj.potpuno iste poreze, uvedene na istu poresku osnovicu i po istoj poreskoj stopi). Međutim, harmonizacija bi mogla da se shvati i kao postupak koji uključuje manju standardizaciju, odnosno poreske sisteme koji funkcionišu „u harmoniji", u smislu sačinjavanja konzistentne i pravilno uređene cjeline, a da, pri tome, nijedan dio poreskog sistema ne mora da bude identičan. Primjera radi, normalno je da unutar jedne zemlje lokalne poreske vlasti mogu da uvode pojedine poreze po različitim stopama, ili, pak, da na lokalnim nivoima u različitim zemljama ne postoje isti poreski oblici. Zbog toga bi bilo nerealistično očekivati „punu harmonizaciju" u navedenom značenju riječi.

Poreska harmonizacija ima dugu istoriju u EU, koja datira još od 1969. godine, kada je uvedena taksa od 1% na indirektno povećanje kapitala kompanije. Vremenom, nailazeći na otpore kod zemalja-članica, Evropska komisija je odlučila da prorjentiše svoju poresklu politiku od prvobitno ambiciozno zamišljenog programa harmonizacije ka postepenim mjerama u njenom sprovođenju. Poreska politika koju vodi Evropska komisija može da se sagleda kroz tri osnovne, šire kategorije: (1) ciljevi EU, (2) posebni poreski ciljevi i (3) instrumenti za postizanje postavljenih ciljeva.154 Kada je riječ o ciljevima EU, Evropska komisija je identifikovala tri „uzajamno podstičuća izazova", koji predstavljaju polaznu osnovu za harmonizaciju poreskih sistema i poreskih politika u EU, i to: (a) stabilizovanje poreskih prihoda zemalja-članica; (b) funkcionisanje unutrašnjeg tržišta i ostvarenje četiri osnovne slobode; i (c) unapređenje zaposlenosti. Posebni poreski ciljevi se vezuju za pojedine oblasti oporezivanja, odnosno fokusiraju se na praktične probleme sa kojima se suočavaju pojedinci i preduzeća koja posluju na unutrašnjem tržištu. Najzad, da bi mogla da ostvari navedene ciljeve, Komisija je usvojila „pragmatski pristup", tj.morala je da obezbijedi odgovarajuće instrumente za njihovo ostvarenje. U tom kontekstu, pored pravnih akata, sa obavezujućim karakterom ili bez njega (uredbe, direktive, odluke, preporuke i mišljenja),155 poseban značaj ima praksa Evropskog suda pravde, koja pokazuje u kojem pravcu treba razvijati strategiju poreske harmonizacije u Uniji. Treba, međutim, pri tome imati u vidu ograničavajući faktor, tj.da odluke Evropskog suda mogu da se implementiraju na različite načine od strane pojedinih zemalja-članica, što za posljedicu može da ima diferenciranu poresku politiku kao odgovor na istu odluku, a to može da ugrozi osnovne ciljeve harmonizacije.

Zaključak

Pravna tekovina za indirektno oporezivanje sastoji se prije svega od usaglašenog zakonodavstva u oblasti poreza na dodatu vrijednost (PDV) i akciza. Porez na dodatu vrijednost obuhvata primjenu nekumulativnog opšteg poreza na potrošnju kojem podliježu sve faze proizvodnje i distribucije robe i usluga. Pravna tekovina u oblasti PDV-a omogućava ravnopravan poreski tretman domaćih i inostranih transakcija.

U oblast akciza, pravna tekovina sadrži usaglašeno zakonodavstvo u pogledu energenata, uključujući električnu energiju, duvanske proizvode i alkoholna pića. Zakonodavstvom EU uspostavlja se struktura akciza koje treba naplatiti, kao i sistem minimalnih stopa za svaku grupu proizvoda. Zakonodavstvo EU propisuje odredbe o proizvodnji, posjedovanju, kretanju i nadzoru akciznih proizvoda, kao i odredbe o putničkim limitima.

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[152] Vidi: T.A.Rounds, Tax Harmonization and Tax Competition: Contrasting Views and Policy Issues in Three Federal Countries, The Journal of Federalism, Vol.22, 1992, p. 92.

[153] Vidi: npr.: International Tax Glossary, International Bureau of Fiscal Documentation, Amsterdam 1992, p.124.

[154] Vidi detaljnije: Jonathan S.Schwarz, European Commission Strategy for Company Taxation in the European Community, Bulletion for International Fiscal Documentation, May 2002, p.215.

[155] Obavezujući instrumenti su direktive, uredbe i odluke, dok preporuke i mišljenja odgovarajućih organa Zajednice nemaju obavezujući karakter.

Pravna tekovina u oblasti direktnog oporezivanja odnosi se na određene aspekte poreza na dobit i na dohodak i izbjegavanje dvostrukog oporezivanja. Fokus je na ukljanjanju narušavanja prekograničnih privrednih aktivnosti između kompanija u Uniji. Takođe obuhvata odredbe radi djelotvornog oporezivanja štednje u obliku kamata isplaćenih fizičkim licima.
Zakonodavstvo EU u oblasti administrativne saradnje i uzajamne saradnje između poreskih i carinskih organa zemalja članica omogućava uvođenje instrumenata za razmjenu informacija radi prevencije utaje poreza i izbjegavanja poreza.

Pravna tekovina u oblasti operativnog kapaciteta i kompjuterizacije obuhvata različite oblasti oporezivanja. Pravna tekovina vezana za VIES sistem (sistem za razmjenu informacija o porezu na dodatu vrijednost) omogućava direktnu elektronsku razmjenu podataka između nacionalnih poreskih uprava. To omogućava nacionalnim upravama da prate i kontrolišu trgovinu unutar EU i da otkriju moguće nepravilnosti. Pored toga, posebni IT sistem (VoeS) je neophodan radi uspostavljanja interkonekcije za razmjenu informacija između zemalja članica u vezi sa posebnom šemom elektronskih usluga koje privrednici koji nijesu iz EU pružaju građanima EU.

Usklađenost države i kapaciteti za sprovođenje - Crna Gora je prihvatila pravnu tekovinu u oblasti oporezivanja i obavezala se da nastavi sprovođenje usklađenih oblasti. Najveći izazovi su održavanje visokog tempa usklađenosti sa pravnom tekovinom EU, kao i dalja izgradnja i unapređenje administrativnog kapaciteta i razvoj IT sistema Poreske uprave.
Administrativna saradnja i uzajamna pomoć - Kada je u pitanju borba protiv prevara, Poreska uprava Crne Gore zaključila je sporazum o uzajamnoj saradnji sa pet poreskih uprava regiona radi razmjene informacija i pružanja pomoći vezane za otkrivanje PDV prevara, kao i izbjegavanja i sprječavanja pranja novca.
Operativni kapacitet i kompjuterizacija - Poreska uprava ima mrežu kojom su povezane sve područne jedinice sa centralom u Podgorici i koja omogućava Internet okruženje potrebno za rad svih aplikacija u informacionom sistemu Poreske uprave Crne Gore. Sem toga, u Crnoj Gori postoji centralni registar poreskih obveznika i osiguranika, portal za registraciju poreskih obveznika i informacioni sistem za bazu podataka.
Procjena stepena usklađenosti i kapaciteta za sprovođenje - Opšta struktura poreskog sistema u Crnoj Gori je slična onoj u državama članicama EU. Poresko zakonodavstvo je generalno na zadovoljavajućem nivou usklađenosti sa pravnom tekovinom EU u oblasti PDV-a, akciza i direktnog oporezivanja, dok je usklađenost nešto manje zadovoljavajuća u oblastima saradnje, uzajamne pomoći i kompjuterizacije.

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Službeni listovi Crne Gore
Informacije i saopštenja Ministarstva finansija i Poreske Uprave CG
Directive EU o poreskom sistemu

DOC. DR. MUAMER KALIĆ, DR.SC. ASJU GOJAČIĆ, MUKADESA DELIMEĐAC – UPRAVLJENJE RESURSIMA U MEDICINI (RESOURCE MANAGEMENT IN MEDICINE)

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Sažetak

Za razliku od tradicionlanog upravljanja organizacionim sistemima, za koji je bio karakterističan analitički pristup i interdisciplinarno rešavanje poslovnih problema, savremeni menadžment se odlikuje sintetičkim pristupom i transdisciplinarnim rešavanjem poslovnih problema. Nasuprot dosadašnjoj strogoj podeli na medicinsku i nemedicinsku sferu poslovanja u zdrastvenim ustanovama stoji danas celoviti pristup ostvarenju definisanih zadataka. Ovaj pristup nije moguće ostvariti preko noći. On traži da nosioci dispozitivnih aktivnosti s medicinskim obrazovanjem, u okviru posdiplomskih studija savladaju neophodna znanja iz oblasti menadžmenta i obratno, da nosioci dispozitivnih aktivnosti, s obrazovanjem iz oblasti menadžmenta, savladaju neophodna znanja iz oblasti razvoja, konstituisanja i funkcionisanja zdravstvenih sistema.
Drugo, timski rad bez stroge podele kompetentnosti prema profesiji daje mnogo bolje rezultate. Oni se postižu ravnopravnom saradnjom u okviru tima, uz puno uvažavanje kontraargumenata i poštovanje mišljenja ostalih članova tima.

Ključne reči: medicina, upravljanje, zdravstvene ustanove, tehnologija.

Abstract

Unlike the management of Traditional organizational systems, for which characterized analytical approach and interdisciplinary solving business problems, modern management is characterized by a synthetic approach and transdisciplinary solving business problems. In contrast to previous strict division of the medical and non-medical sphere of operations in health institutions today stands a comprehensive approach to the achievement of defined tasks. This approach can not be achieved overnight. He asked to holders of dispositive activities with medical education, in the framework of postgraduate studies acquire the necessary knowledge in management and vice versa, to holders of non-mandatory activities, with education in management, master the necessary knowledge in the field of development, the constitution and functioning of health systems.
Second, teamwork without strict division of competence for the profession gives much better results. They achieve equal cooperation within the team, with full respect for contra and respect for the opinions of other team members.

Keywords: medicine, management, health care institutions, technology.

Uvod

Za medicinu su znali naši preci, još u dalekoj prošlosti ljudske civilizacije. U Vavilonskom carstvu, a to je period od oko 5000 godina pre nove ere, zabeležen je skalper kao alatka, odnosno instrument

koji postoji i u savremenoj medicini. To ukazuje da su naši preci znali za hirurgiju, kao jednu od vrhunskih grana medicine, jer je skalper upravo njen reprezent.

U savremenim uslovima opšta medicinska nauka se razvijala ubrzanim tempom, zahvaljujući pre svega uvodjenju mašinizacije i automatizacije medicine u oblast preventivne zaštite, ali i u lečenju ljudi. Međutim, istraživanja pokazuju da se dosta sporo razvija specijalizovana medicina iz oblasti menadžmenta. Iako je u razvijenim zemljama medicina u menadžmentu razvijena, evidentno je da se u toj oblasti znatno kasni u odnosu na druge profesije. Problem je posebno izražen u netržišnim zemljama u kojima se još uvek o menadžmentu govori više iz pomodarstva, nego što je to stvarna potreba.

Pod medicinom u menadžmentu treba podrazumevati specijalizovanu nauku koja se bavi zaštitom, unapredjenjem zdravlja i lečenjem boleti ljudi koji se bave biznisom, odnosno menadžerskom profesijom. Uopšteno posmatrano to je nauka o zdravlju i upotrebi lekova u cilju lečenja menadžera.156

Ljudi koji se bave medicinom nazivaju se Lekari. Oni su završili odgovarajuće fakultete, bave se medicinom kao naukom i poseduju znanje i veštine za lečenje ljudi, pa shodno tome i menadžera. Iz toga se zaključuje da se profesionalni status za lečenje ljudi stiče završetkom odgovarajućeg fakulteta. Ukoliko neko leči ljude, a ne poseduje diplomu odgovarajućeg fakulteta, on je pre vrač, nego stručnjak za tu oblast.

Lečenje ljudi se obavlja u medicinskim ustanovama, kao stručnim i specijalizovanim organizacijama. Ove ustanove predstavljaju neprofitne organizacije, jer njihov cilj nije ostvaranje odredjene dobiti, odnosno profita, već pre svega lečenje i zdravstveno zbrinjavanje ljudi.

Menadžment se može definisati kao naučni proces planiranja, organizovanja, vodjenja i kontrolisanja ljudskih, materijalnih, finansijskih, informacionih i drugih resursa, zarad ostvarenja organizacionih ciljeva. Menadžmentom se bave menadžeri. Menadžeri su profesionalci u organizacijama koji planiraju, organizuju, usmeravaju i kontrolišu organizacione resurse i koji imaju primarnu odgovornost za uspešnost organizacije. Ukoliko navedene poslove obavljaju u medicinskim ustanovama, radi se o menadžmentu u medicini.

Izmedju medicine i menadžmenta često postoje nesporazumi i kontroverze. Ovi nesporazumi uglavnom postoje kod običnih gradjana, ali i kod ljudi koji se bave medicinom, pre svega u netržišnim zemljama sveta. Nesporazum je u tome što mnogi smatraju da je medicina nespojiva sa menadžmentom, jer ima potpuno drugačije ciljeve. Medicina po ovim shvatanjima ima cilj da izleči ljude ili kroz preventivnu zaštitu da spreči bolest, dok je cilj menadžmenta da stvori uspešnu organizaciju uz zadovoljavajući nivo profita. Dok za medicinu važe pravila Hipokritove zakletve, dotle menadžment važe pravila biznisa, tj. Da se sa što manje uloženih sredstava ostavi što veći efekat. Zbog toga medicinari često ne prihvataju menadžment u medicini, a svako insistiranje na njemu ocenjuju kao neprihvatljivo sa stanovištva efkiasnosti medicine kao nauke i profesije.

Da stvari ne stoje tako, nije teško dokazati. Menadžment danas postoji u svakom sistemu, bilo da se radi o profitnom, ili neprofitnom. Jedna organizacija ili sistem se održava zahvaljujući ostvarenju ciljeva od strane zaposlenih. Organizacija može da raspolaže sopstvenim zgradama i opremom, ali ovo ne odredjuje organizaciju. Organizacija je socijalni sistem koga karakteriše relativno trajna šema i odnosi koji spajaju ljudie i ljude sa zadacima u težnji da se ostvare postavljeni ciljevi.

Zdravstveni sistem, čine ljudi. To je i prirodno, jer jednu bolnicu čini: interakcija i odnosi medicinskog osobolja, odnosno lekara i medicinskih sestara, tehničara, administracije i ostalog osoblja sa pacijentima. Ukoliko bi iz navedenog konteksta isključili navedene subjekte i odnose, svrha bolnice kao sistema za brigu i negu pacijenata bi nestala. Zgrada, oprema, intstrumenti i pribor ostaju,

[156] Prof.dr Života Radosavljević, Menadžment medicine, Beograd 2005

ali nema bolnice. TO znači da ni jedna organizacija, pa ni zdravstveni sistem ne može postojati bez ljudi, kao primarnog faktora svake organizacije.

Da bi se organizacije održavale u stanju pune efikasnosti, potrebno je istima upravljati, što je i prirodno, jer i tamo gde rade samo dva čoveka, javlja se potreba da neko od njih vodi, odnosno koordinira zajedničke aktivnosti. Zato je menadžment uslov opstanka, rasta i razvoja svake organizacije, pa shodno tome i medicinskih ustanova.

Menadžment proces se sastoji od: planiranja, organizovanja, vodjenja, koordinacije i kontrole. Ova sekvenca ne znači da menadžeri planiraju u ponedeljak, organizuju u utorak, vode u sredu, a koordiniraju i kontrolišu u četvrtak. Dan menadžera predstavlja veliki broj neplaniranih aktivnosti u kojima se obavljaju navedeni elementi procesa, u kojima često jedan elemenat predstavlja uzrok, a u drugom slučaju posledicu. Čak i za top menadžemnt, preko 50% aktivnosti traje manje od devet minuta, sa samo 10% aktivnosti prelazi jedan sat. Šta navedeno znači za efikasnost i zdravlje menadžera, ne treba posebno objašnjavati.

Iz navedenog se može jasno zaključiti da su medicina i menadžment u tesnim iterativnim odnosima. Medicina sa svojim aktivnostima i zanjem je u stanju da poboljša efikasnost menadžmenta, a menadžment kao profesionalni način upravljanja je u stanju da poveća uspešnost organizacija i sistema koji se bave medicinskim uslugama. Kako je to moguće, pokazaće se u narednim naslovima ove knjige.

Šta je posao menadžera medicinske ustanove?

Veoma složen i odgovoran. Menadžeri medicinskih ustanova se bave upravljanjem, odnosno organizovanjem ljudskih, materijalnih, finansijskih i drugih resutra u okviru medicinskih organizacija, u cilji pružanja efikasne i efektivne medicinske usluge. Oni se znači ne bave lečenjem ljudi, nego upravljaju elementima i resurstima koji omogućavaju lečenje ljudi. To znači da medicinskim ustanovama i organizacijama ne treba da upravljaju lekari i ljudi iz medicinske specijalnosti, već menadžeri, koji su osposobljeni za menadžerstvo i menadžment, odnosno da ostvare misiju lečenja uz najmanji nivo troškova. To su pre svega profesionalci koji su osposobljen da upravljaju administracijom, koji znaju da pregovaraju i ugovaraju, koji su osposobljeni da, upravljaju vremenom, ljudima, novcem i troškovima. Praksa uvodjenja menadžera u medicinske organizacie već nekoliko decenija živi u razvijenom svetu. Ona nije primenjena u netržišnim zemljama, što umanjuje efiksnost medicinskih organizacija i uopšte uspešnost organizovanja zdravstva.

Što se tiče složenosti i odgovornosti, može se konstatovati da nema složenijeg i odgovornijeg posla u bilo kom sistemu nego što je posao rukovodioca menadžera. Što je hijerarhijski nivo veći, to je i odgovornost i složenost poslova veća. Istraživači i analitičari u Centru za kreativno rukovođenje u Severnoj Karolini su pratili radni dan jednog menadžera i utvrdili da su oni raznovrsni i da jedan rukovodilac na prvoj hijerarhiskoj liniji u toku dana napravi i preko 450 aktivnosti...

Časopis ''Fortuna'' je krajem osamdesetih godina prošlog veka utvrdio da je šezdesetočasovna radna sedmica normalna za radoholičara, ali i da sedamdesetočasovna nije retkost za menadžerske strukture. Većina menadžera u svoj godišnji fond radnog vremena provodi u svojim organizacijama, a prema procenama oko 95% provodi u svojim kancelarijskim zidinama. Njihov najveći problem je, kako zapravo upravljati svojim vremenom.

Većina menadžera svoje poslove obavlja usmeno, a manje pismeno. Taj procenat se kreće i do 80% usmenog, a 20% pismenog.

Navedeni opisi radnih aktivnosti menadžera nisu univerzalni i ne važe za sve menadžere. Činjenica je da je radni dan menadžera dinamičan i da je njihova efikasnost u direktnoj vezi sa načinom na koji koriste svoje vreme i vreme zaposlenih.

Za razliku od menadžmenta u privredi koji je – pre svega – usmeren prevashodno na maksimiranje dobiti, menadžment u zdravstvenim sistemima treba da bude usmeren prevashodno na što potpunije zadovoljavanje zdravstvenih potreba.

Polazeći od lokalizacije ovih potreba, odnosno od njihove podele na individualne i društvene, razlikujemo:
menadžment zdravstvene ustanove i
menadžment zdravstvene delatnosti.

Menadžment zdravstvene ustanove je usmeren na što potpunije zadovoljavanje individualnih, a menadžment zdravstvene delatnosti na što potpunije zadovoljavanje društvenih zdravstvenih potreba. U ovom smislu zadaci menadžmenta zdravstvene ustanove se sastoje u:

- ❍ - dedukciji dugoročnih, srednjoročnih i kratkoročnih zadataka zdravstvene ustanove iz odgovarajućih ciljeva i kreiranje odgovarajuće strategije i taktike za njihovu realizaciju;
- ❍ - optimiranju organizacione strukture zdravstvene ustanove u smislu njenog prilogođavanja definisanim dugoročnim zadacima;
- ❍ - delegiranje utvrđenih zadataka zdravstvene ustanove pojedinim organizacionim jedinicima (tzv. kolektivni zadaci) i obezbeđenju uslova pod kojim oni treba da budu realizovani;
- ❍ - angažovanju na prevazilaženju internih konflikata u procesu delegiranja zadataka;
- ❍ - obezbeđenju finansijskih i materijalnih sredstava za nesmetano izvršavanje definisanih zadataka;
- ❍ - brizi za racionalno trošenje raspoloživih sredstava u procesu zadovoljavanja individualnih zdravstvenih potreba i tsl.

Značaj funkcije menadžmenta u jednoj zdravstvenoj ustanovi bitno zavisi od njene veličine i prirode njenih zadataka. Najveći značaj ove fukncije ima u velikim kliničko-bolničkim centrima (primer Holandije), a najmanji u privatnim lekarskim ordinacijama, gde i ne postoji kao zasebna funkcija.
Specifični zadaci menadžmenta zdravstvene delatnosti se sastoje u:

- ❍ - kreiranje strategije, definisanju ciljeva dugoročnog razvoja i transformaciji ovih ciljeva u zadatke zdravstvene delatnosti;
- ❍ - prilagođavanju organizacione strukture zdravstvene delatnosti sistemu dugoročnih ciljeva razvoja i delegiranju dugoročnih zadataka pojedinim elementima organizacione strukture (domovima zdravlja, kliničko-bolničkim centrima i dr.);
- ❍ - definisanju organizacionih principa zdravstvene delatnosti i formulisanju projektnih zadataka za optimiranje njene organizacione strukture;
- ❍ - angažovanju na prevazilaženju konflikata u procesu definisanja ciljeva dugoročnog razvoja zdravstvene delatnosti i utvrđenju predloga stope doprinosa za zdravstveno osiguranje;
- ❍ - brizi za racionalno trošenje raspoloživih sredstava u procesu zadovoljavanja društvenih zdravstvenih potreba i tsl.

Što se tiče prvog zadatka funkcije menadžmenta, koji se sastoji u definisanju strategije razvoja, potrebno je istaći njen značaj u sadašnjem trenutku.

U istoriji naše civilizacije definisanje strategije razvoja nije još nikada imalo tako veliki značaj kao danas. Ovo iz razloga što se sve zemlje sveta i sve oblasti ljudskih aktivnosti nalaze u krizi, koja je uslovljena opadanjem vitalnosti industrijske civilizacije. Scenario daleke budućnosti koji je iznedrila industrijska civilizacija manifestuje se sve više kao iluzija koja nema realne osnove. Ovaj scenario se, naime, zasniva na prepostavci da su izvori energije, kao i zalihe metalnih i mineralnih sirovina na Zemlji praktično neograničeni. Za probleme koje nam je podarila ova civilizacija još se ne naziru prihvatljiva rešenja (deponovanje nuklearnog i ostalog industrijskog otpada, zagađivanje životne sredine, erozija plodnog tla, oštećenje ozonskog omotača i tsl). U uslovima u kojima postaje

očigledno da filozofska paradigma na kojoj se zasniva industrijska civilizacija ne može da izdrži teret postojećih problema, nije ni malo jednostavno odabrati pravu strategiju razvoja, koja može da obezbedi dugoročan prosperitet.

Privredna preduzeća razvijenih zemalja se okreću sve više – umesto maksimiranju profita – maksimiranju totalnog kvaliteta (ISO standardi) i zaštiti životne sredine ("ekološko preduzeće", "ekološko selo" i tsl.), a zdravstvene ustanove traže izlaz u razvoju alternativnih kocepata zaštite zdravlja, kao što je npr. koncept "celovitog zdravlja" (die ganzheitliche Medizin, the whole Health), i tzv. duhovna medicina, ekološka medicina, kvantna medicina, tradicionalne istočnjačke medicinske koncepcije i dr.

Nikada u istoriji ljudskog društva Staro nije ustupilo mesto Novome bez otpora, bez borbe. Savremeni menadžment u svim oblastima ljudskih aktivnosti kofrontiran je s ovom činjenicom. Zbog toga fleksibilnost, široko obrazovanje, sposobnost za sintezu i nalaženje kompromisa, poznavanje dugoročnih megatrendova društveno-ekonomskog razvoja (Furastie, Naisbit), poznavanje prirode krize i visok stepen kreativnosti, predstavljaju instrumente s kojima mora da operiše savremeni menadžment.

Kvalitet zdravstvene zaštite i bezbednost pacijenata

Kvalitet zdravstvene zaštite je prepoznat kao jedna od najvažnijih karakteristika sistema zdravstvene zaštite, kako državnog, tako i privatnog sektora. Stalno unapređenje kvaliteta i bezbednosti pacijenata je sastavni deo svakodnevnih aktivnosti zdravstvenih radnika, zdravstvenih saradnika i svih drugih zaposlenih u zdravstvenom sistemu. Stalno unapređenje kvaliteta predstavlja kontinuirani proces čiji je cilj dostizanje višeg nivoa efikasnosti i uspešnosti u radu, kao i veće zadovoljstvo korisnika i davalaca zdravstvenih usluga.
Kvalitet zdravstvene zaštite mora se razvijati i unapređivati kontinuirano imajući u vidu sledeće:
a) postojeće varijacije u pružanju zdravstvene zaštite i ishode po zdravlje za iste ili slične pacijente, koji dobijaju nedovoljnu, kao i nepotrebnu ili neadekvatnu zdravstvenu zaštitu. Razlike su prisutne među državama, regionima, zdravstvenim ustanovama i pojedinim davaocima zdravstvenih usluga, čak i tamo gde su materijalni, finansijski i humani resursi ujednačeni; b) pružena zdravstvena zaštita nije uvek bezbedna kao što bi trebalo da bude, što bezbednost pacijenata svrstava u najvažnije dimenzije kvalitetne zdravstvene zaštite; c) nova znanja i tehnologije zahtevaju nove specijalizacije i subspecijalizacije zdravstvenih radnika i saradnika, što dovodi do prekomerne fragmentacije znanja i prakse i sve veće otuđenosti od korisnika u sistemu zdravstvene zaštite. Posledica toga je porast nezadovoljstva, kako korisnika, tako i zaposlenih u sistemu zdravstvene zaštite; d) zahtevi korisnika menjaju se i postaju sve veći. Dostupnost modernih informacionih tehnologija omogućava bolju informisanost korisnika i dovodi do većih očekivanja u sistemu zdravstvene zaštite. Savremeni korisnik očekuje da dobije takvu zdravstvenu zaštitu u kojoj će rizik po njegovo zdravlje biti minimalan, a korist od pružene zdravstvene zaštite maksimalna. On se ne zadovoljava samo rešavanjem zdravstvenog problema, već zahteva i prijatan ambijent, ljubazno osoblje, informisanost o stanju svog zdravlja i medicinskim procedurama kojima će biti podvrgnut, odnosno postaje aktivni učesnik u donošenju odluka o svom lečenju; e) troškovi zdravstvene zaštite su u porastu, a često se za veoma visoku cenu dobijaju srazmerno mali i ograničeni efekti po zdravlje stanovnika. U takvim uslovima, zahteva se veća efikasnost u sistemu zdravstvene zaštite, odnosno da se za uložena sredstva obezbedi najveća dobit po zdravlje ljudi; f) intenziviran razvoj privatnog sektora dovodi do stvaranja zdrave konkurencije u sistemu zdravstvene zaštite. U takvim uslovima, ustanove koje pružaju kvalitetnu zaštitu postaju atraktivnije, kako za korisnike, tako i za zdravstvene radnike.
Stalno unapređenje kvaliteta zahteva uvođenje kulture kvaliteta koja će podjednako uključiti sve interesne grupe - korisnike, davaoce zdravstvenih usluga, finansijere i donosioce odluka na svim nivoima. Tradicionalno shvatanje da su zdravstveni radnici i zdravstveni saradnici, kao neposredni davaoci zdravstvenih usluga, jedini odgovorni za kvalitet pružene zdravstvene zaštite, zamenjeno je novim pristupom koji prepoznaje značaj organizacije u celini, a posebno ulogu menadžmenta, kao i čitavog procesa rada, a ne pojedinačnog izvršenja u zadovoljavanju potreba korisnika. Ovaj pristup

usmeren je ka tome da utvrdi zašto se nešto dešava, a ne ko je do toga doveo i da otkrije puteve koji mogu da preveniraju loš kvalitet.
Prednosti uvođenja stalne kulture kvaliteta mogu se sagledati iz nekoliko različitih perspektiva. Iz ugla zdravstvene profesije, uvođenje kulture kvaliteta i stalnog praćenja kvaliteta rada vodi ka smanjivanju grešaka iz neznanja, nedostatka veština, nemara, nedovoljne motivacije, nepažnje. To je mehanizam za definisanje nivoa razlika koji je prihvatljiv za medicinsku praksu i načina da se one svedu na minimum, bez ugrožavanja profesionalne autonomije. Iz perspektive korisnika zdravstvene zaštite, prednosti se ogledaju u omogućavanju postizanja adekvatnog odgovora na njegove zahteve i očekivanja (minimalni rizik po njegovo zdravlje uz maksimalnu korist, kao i dobijanje merljivih rezultata). Iz perspektive finansiranja zdravstvene zaštite to je način za unapređenje efikasnosti sistema zdravstvene zaštite.157

Upravljanje Kadrovima

Kao i u svim ostalim oblastima ljudske aktivnosti, tako isto i u zdravstvenim ustanovama, kadrovi predstavljaju najvažniji resurs. Zbog toga kadrovi zaslužuju posebnu pažnju. Ova pažnja mora biti usmerena prvenstveno na:

utvrđivanje potrba za kadrovima;
izbor potrebnih kadrova;
rukovođenje kadrova; i
razvoj kadrova.

Utvrđivanje potreba za kadrovima

Potreban broj radnika se utvrđuje na osnovu plana rada, kojim je definisana:

količina potrebnog rada, odnosno potrebnog radnog vremena, po vrstama i stepenima kvalifikovanosti; i
količina neizbežnih gubitaka radnog vremena (npr. zbog privremene sprečenosti za rad, godišnjih odmora i sl.).

Potreban broj radnika se izračunava tako, što se planiranom obimu potrebnog rada (za svaku vrstu i stepen stručne spreme) doda planirani gubitak radnog vremena (za svaku vrstu i stepen stručne spreme), a zatim ovaj zbir podeli s raspoloživim fondom radnog vremena u toku godine dana.158

Kada se izračuna potreban broj radnika, neophodno je sačiniti bilans radne snage. Bilans radne snage se dobija na taj način, što se potrebnom broju radnika (po vrstama i stepenu kvalifikovanosti) suprotstave podaci o postojećem broju radnika. Na taj način se dobija uvid u deficit, odnosno suficit kadrova u zdravstvenoj ustanovi.

U okviru bilansa radne snage koji se radi za period od godinu dana, podatke o postojećem broju radnika treba razložiti na mesečne periode i korigovati početno stanje s planiranim odlivom kadrova zbog odlaska u penziju i drugih razloga.

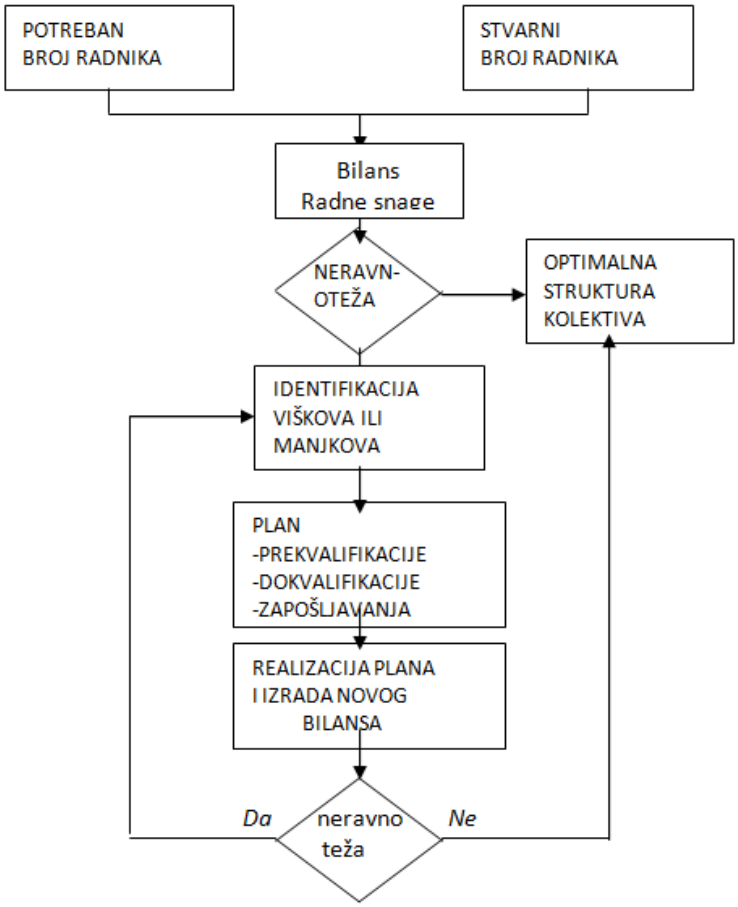
Polazeći od razlike između potrebnog i raspoloživog broja radnika, koji je iskazan u ovkru bilansa radne snage, definiše se plan kadrova.

Problem viška radnika se rešava bilo prekvalifikacijom radnika ili njihovim zapošljavanjem na tzv. dopunskim programima zdravstvene zaštite. Problem manjka radnika se rešava bilo

[157] Strategija za stalno unapređenje kvaliteta zdravstvene zaštite i bezbednosti pacijenata, *("Sl. glasnik rs", br. 15/2009)*
[158] Prema V. Božiću, godišnji fond radnog vremena iznosi 1790 časova (Božić, V: Sistem planiranja u udruženom radu, "Savremena administracija", 1980., str. 146).

prekvalifikacijom, odnosno dokvalifikacijom viška radnika, zapošljavanjem (na određeno ili neodređeno vreme) novih radnika, stipendiranjem studenata i učenika i tsl.

Zdravstvena ustanova u kojoj potreban broj radnika, po svim vrstama i stepenima kvalifikovanosti, odgovara stvarnom broju radnika, ima optimalnu strukturu kolektiva (grafikon).



Grafikon: Optimiranje strukture radnog kolektiva

Izbor potrebnih kadorva

Izbor potrebnih kadorva se uglavnom vrši na tri načina:

metodom ličnog ocenjivanja;
ocenjivanjem na osnovu unapred određenih kriterijuma; i
naučnim metodama.

Metoda ličnog ocenjivanja. Ovaj metod ocenjivanja sposobnosti radnika zasniva se na ličnim utiscima osobe, odnosno, komisije, koja ocenjuje. Lični utisak zavisi od izgleda radnika, od njegovog ponašanja, od stavova koje otkriva u razgovoru i dr. Ukoliko ocenjivači imaju dovoljno iskustva u ovom poslu i ukoliko poseduju intuiciju, kao i potrebna znanja iz psihologije, metod ličnog ocenjivanja može dati dobre rezultate. Ovo, naravno, važi pod pretpostavkom da su ocenjivači nepristrasni i da ne trpe nikakve pritiske sa strane.

Ocenjivanje na osnovu kriterijuma. Da bi se izbegla subjektivnost u ocenjivanju i uticaj raznih nepovoljnih činilaca na rezultate ocenjivanja, zdravstvena ustanova često sama definiše kriterijume na osnovu kojih se vrši ocenjivanje. Ti kriterijumu su najčešće: uspeh postignut za vreme školovanja, odlikovanja i nagrade za ranije postignute rezultate u drugim zdravstvenim ustanovama i dr. Kada su kriterijumi definisani, utvrđuje se njihov međusobni odnos, odnosno definiše se njihova "težina."

Naučne metode ocenjivanja. U oblasti menadžmenta je stalno pristuna težnja da se procene zamene merenjima. U slučaju ocene sposobnosti radnika ova zamena je moguća u sve većoj meri zahvaljujući istraživanjima u oblasti psihometrije. Osnovni instrument psihometrije jeste test. Pomoću testa se mogu meriti različite komponenete radnikovih sposobnosti. U tom smislu postoje testovi znanja, testovi karaktera, testovi temperamenta i testovi zainteresovanosti.

Izučavanje Čoveka u Menadžmentu

Menadžment je rezultat razvoja ljudske civilizacije. Njegov razvoj uslovljen je tehničko-tehnološkim progresom, ali i razvojem čoveka kao živog bića. Svaka društvena-ekonomska formacija imala je menadžment koji je odgovarao njenom razvoju. Ljudi su osnove menadžmenta i osnovna opservacija menadžerskih timova. Bez ljudi se ne može zamisliti bilo koja organizacija niti menadžment.

Navedene činjenice su naučno i teoretski potvrđene. U praktičnom životu i operecionalizaciji menadžmenta u mezoekonomskim sistemima, ali i u školovanju menadžerskih kadrova zapostavlja se čovek, ili mu se ne posvećuje odgovarajuća pažnja. To višestruko šteti menadžmentu, odnosno uspešnosti poslovanja organizacija.

Nauka o čoveku, rad sa ljudima, veština pridobijanja ljudi, međuljudski odnosi, su u velikoj meri mirmoišli oblast menadžmenta, ili ovim pitanjima najblaže rečeno nije posvećena odgovarajuća pažnja. U savremenim uslovima, materijalni resusrsi još uvek dominiraju u menadžmentu, što je prisustvo tejlorističkog koncepta organizacije. Menadžeri i studenti fakulteta za menadžment izučavaju: tehnologiju, tehnološki progres, poznavanje robe (metali, nemetali, organska i neogranska jedinjenja, alkohol, nafta, ugljeni hidrati) nastojeći da ovladaju ovim resursima organizacije, radi njihovog efikasnog iskorišćavanja.

Menadžer treba da poznaje svojstva roba, ali on mora pre svega poznaje čoveka, odnosno anatomiju, fiziologiju i njegove karakteristike, jer oni pre svega upravljaju ljudima. Tu postoje i najveći problemi. Adler kaže: ''Svi mi isuviše slabo poznajemo čoveka. To stoji u vezi sa našim izolovanim životom. Možda nikada ljudi nisu izolovanije živeli, kao dan današnji''. Kada se ljudi ne poznaju u svim svojim elementima, teško je sa nima uspešno upravljati. Adler dalje nastavlja: ''Ponajteža posledica toga je što u postupcima prema svojim bližnjima i u zajedničkom življenju sa njima najčešće nemamo uspeha''.

Poznavanje čoveka, makar u osnovnim karakteristikama i osobinama je uslov uspešnog menadžmenta i uslov da organizacije budu efikasne.

Upoznavanje pojedinih organa u čoveku, je potrebno radi izbora odgovarajućih ljudi za pojedine niove menadžmenta. Mnogi čovečji delovi i organi otktivaju ''dušu i karakter čoveka''.

Ako oči trepću, ako čovek gleda u stranu, umesto u oči, ako govori i usne su mu nesigurne, ako čovek lomi prste, onda se sa puno verovatnoće može zaključiti da se radio i nestabilnoj ličnosti. Analitičari su primetili: da sitne oči kriju pogled i ne odaju pravo stanje čoveka. Mnogi vrše operacije očiju, nastojeći da ih prošire, kako bi ostavili utisak svoje otvorenosti. Operacijom se ulepšava pogled, ali se njome ne menja čovečja duša, što je još više usložava dijagnosticiranje čoveka.

Jake vilice, velike obrve, jaka brada, veliki nos i d. U zapadnom svetu smatraju za poželjne osobine menadžera. Ove osobine odaju utisak principijelnih,stabilnih i energičnih osoba i one bitno utiču na biznis, jer mentalna stabilnost i energičnost čine osnovu uspeha.

Ljudi koji upravljaju drugim ljudima su bića od krvi i mesa. Menadžeri moraju poznavati dušu i karakter ljudi, anatomiju, fiziologiju čoveka i zbog očuvanja života i zdravlja zaposlenih. Oni moraju znati ne samo kako se čovek troši, već kako se i odmara, održava njegove psihofizičke sposobnosti. Od odmora, pravilne ishrane, normalnog rada, zavisi trošenje tj. Obnavljenje tkiva, organa, ali i elan i

konačno radni rezultat. Naučnici sve više ističu da je ključ uspešnosti menadžerskih timova u njihovoj sposobnosti da stil zaposlenih prilagode izmenjenim uslovima pojačanog stresa i povećanih zdravstvenih rizika.

Poznavanje medicinskih fenomena može biti od koristi i samim menadžerima. U savremenom menadžmentu sve se više govori o menadžerskim bolestima koje povećaju rizik ove profesije. Zbog toga je održavanje sopstvenog zdravlja prvenstven zadatak svakog čoveka. Menadžment po ovom pitanju ima najveći specifičnu težinu, jer je njegova riskantnost najveća od svih profesija kojima se čovek može baviti.

Iz navedenog se može zaključiti da je poznavanje čoveka kao živog bića uslov za uspešno upravljanje organizacijama. Upoznavanje čoveka omogućava da se specifiraju njegove karakteristike u odnosu na druga živa bića.

Zaključna Razmatranja

Proces odlučivanja se može shvatiti i kao deo, odnosno podproces globalnog procesa upravljanja preduzećem, u kome se donose odluke o izboru upravljačkih akcija iz skupa raspoloživih, i o njihovoj relaciji. Proces odlučivanja je permanentna aktivnost kojom čovek nastoji održati sopstvenu egzistenciju i obezbediti razvoj. Donošenje odluka je osnov procesa upravljanja, te se svaki upravljački proces i odvija donošenjem ogovarajućih odluka i njihovim pretvaranjem u akcije.

Složeni uslovi poslovanja i velika međuzavisnost rada i razvoja svih poslovnih sistema i njihovih podsistema uslovili su potrebu za donošenjem mnogobrojnih odluka, što danas predstavlja osnovnu karakteristiku procesa odlučivanja. S druge strane, dinamičnost funkcionisanja i brzog razvoja nužno zahteva da se odluke donose veoma brzo. Tako se brzina odlučivanja pojavljuje kao druga osnovna osobina procesa odlučivanja. Odluke je neophono doneti veoma brzo, jer najčešće od brzine donošenja odluke zavisi da li će se one uopšte realizovati i postići željeni cilj. Veća brzina odlučivanja najčešće donosi slabiji kvalitet odluka, a potreba za većim kvalitetom odluka smanjuje brzinu njegovog donošenja.

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ISMET SKOKO, DENIS KALIĆ, FERID ŠABOTIĆ – IMPLEMENTACIJA NOVOG INTERNET PROTOKOLA IPV6 (IMPLEMENTATION OF THE NEW INTERNET PROTOCOL IPV6)

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Sažetak

Potreba za informacijama naterala je čoveka da uspostavlja veze sa raznim izvorima informacija i da stvara mreže preko kojih će sebi olakšati prikupljanje, prenos, skladištenje i obradu podataka. Naglim razvojem računarske tehnologije poslednjih godina, povećanje performansi uz pad cena i sa pravom eksplozijom Interneta, broj korisnika računara i računarskih mreža raste vrtoglavom brzinom. Sa sve moćnijom računarskom opremom svakodnevno se uvode novi servisi, a istovremeno se u umrežavanju postavljaju viši standardi. IPv6 je protokol koji je definisan da zameni protokol IPv4, koji se trenutno koristi na Internetu. Ovaj protokol dovodi do velikog poboljšanja I napretka u komunikaciji što je i predmet ovog rada.

Ključne reči: internet, protokol, tehnologija, bezbednost podataka

Abstract

The need for information was made man to make connections with various sources of information and to create networks which will itself facilitate the collection, transfer, storage and processing of data. Due to rapid development of computer technology in recent years, increasing performance with a drop in prices and the real explosion of the Internet, the number of computers and computer networks is growing rapidly. With all the more powerful computer equipment daily to introduce new services and, at the same time in the networking set higher standards. IPv6 is a protocol that is defined to replace IPv4, which is currently used on the Internet. This protocol leads to great improvements and advances in communication which is the subject of this paper.

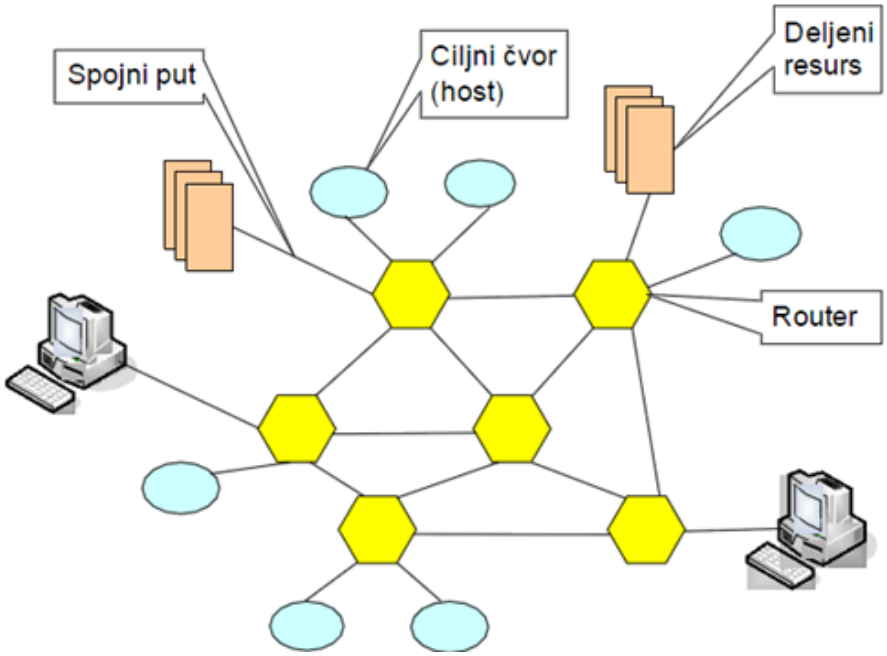
Keywords: internet, protocol, technology, data security

UVOD

Počeci umrežavanja vezuju se za prve telegrafske i telefonske linije kojima su se prenosile informacije do udaljenih lokacija. Dostupnost i fleksibilnost tehnologija današnjih savremenih računarskih mreža omogućava da se sa bilo koje tačke na planeti može povezati na mrežu i doći do željenih informacija. U poređenju sa nekadašnjom cenom korišćenja servisa mreža, cena eksploatisanja današnjih mreža je sve niža. Računarske mreže su danas nezamenjivi deo poslovne infrastrukture, kako velikih, tako i malih organizacija. Poznavanje tehnologije i korišćenje mreža čak izlazi iz okvira primene u poslovanju (koje može da obezbedi poslovnu prednost organizacijama - npr. elektronska trgovina omogućava i malim firmama konkurentnost na tržištu) i zalazi u ostale aspekte života čoveka postajući deo opšte kulture.

Računarska mreža može biti prost skup dva ili više računara, koji su povezani adekvatnim medijumom i koji međusobno mogu da komuniciraju i dele resurse. Koristi se za prenos kako digitalnih tako i analognih podataka, koji moraju biti prilagođeni odgovarajućim sistemima za prenos. Mrežom se prenose računarski podaci, govor, slika, video, a aplikacije na stranama korisnika mogu biti takve da se zahteva prenos podataka u realnom vremenu (govor, video i sl.) ili to ne mora biti uslov (elektronska pošta, prenos datoteka i sl.). Mreža se sastoji od računara, medijuma za prenos (žica, optičko vlakno, vazduh i sl.) i uređaja kao što su čvorišta, svičevi, ruteri itd. koji čine infrastrukturu mreže. Neki od uređaja, kao što su mrežne kartice, omogućavaju vezu između računara i mreže.

Svaka mreža se može svesti na sledeće dve osnovne celine: hardversku i softversku. Hardversku celinu sačinjavaju mrežni čvorovi (nods) u kojima se vrši obrada informacija, fizički spojni putevi i deljeni resursi. Čvorovi su delovi mreža u kojima dolazi do obrade podataka. Postoje dve vrste čvorova: čvorovi u kojima se vrši stvarna obrada i oni predstavljaju ciljne čvorove (hosts), i čvorovi kojima je uloga da usmeravaju informacije (routers). Deljeni resursi su hardverski (štampači, ploteri, faks mašine, diskovi i sl.) ili softverski elementi (datoteke, baze, aplikacije i sl.). Softversku celinu mreže čine protokoli – pravila po kojima se vrši komuniciranje (razmena podataka) u mreži, operativni sistemi koji su u direktnoj komunikaciji sa hardverom računarskog sistema (i imaju podršku za mrežni hardver i mrežne protokole) i korisnički mrežni softver.



Izvor: Alen Bažant, Vjekoslav Sinković, Mladen Kos, Branko Mikac, Ignac Lovrek, Marijana Kuntušić, Maja Matijašević, željko Ilić, Gordana Gladec, Gordana Ježić (2003) : Osnove arhitekture mreža
Slika 1. Osnovna arhitektura mreže

IPv6

IPv6 je protokol koji je definisan da zameni protokol IPv4, koji se trenutno koristi na Internetu. Sadašnja verzija Internet protokola (IPv4) nije se bitno promenila još od svog definisanja dokumentom RFC 791 (Internet Protocol DARPA Internet Program Protocol Specification) koji je objavljen 1981. godine. IPv4 se pokazao kao robustan protokol i lak za implementaciju, zbog čega se probio kao glavni protokol na kome se zasniva današnji Internet. Ipak inicijalni dizajn IPv4 nije predviđao okolnosti koje su se pojavile ekspanzijom i popularnošću Interneta i računarski tehnologija.

Ove okolnosti se ogledaju u sledećim problemima i potrebama:
Trenutni eksponencijalni rast Interneta i postepen nedostatak IPv4 adresnog prostora.
Mogućnost backbone rutera da održavaju izuzetno velike tabele rutiranja.
Potreba za jednostavnijom autokonfiguracijom.
Potrebna bezbednost podataka na IP nivou.
Potrebna podrkaška za prenos podata u realnom vremenu (QoS)

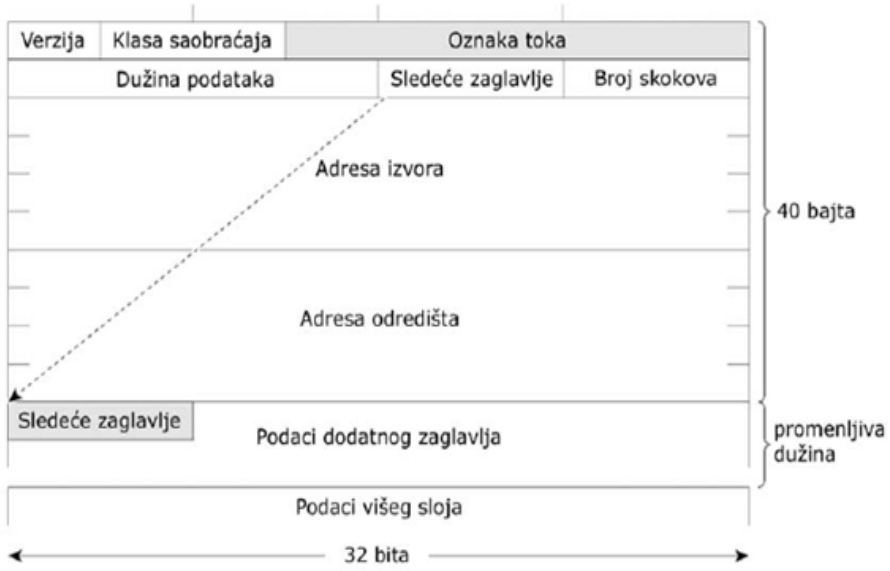
Za IPv4 pravljeni su dodaci koji bi rešili neke od ovih problema. Opcije kao što su IPSec ili QoS postoje i za IPv4. Da bi se produžio vek IPv4 osmišljeni su mehanizmi za bolje iskorišćenje adresnog prostora, kao što su NAT (Network Address Translation), CIDR (Classless Interdomain Routing), DHCP (Dynamics Host Configuration Protocol). Međutim, ove tehnike imaju i svoja ograničenja.

Kako bi se zadovoljili zahtevi današnjeg (i budućeg) Interneta, IPv6 donosi sledeće karakteristike:
Veći adresni prostor
Jednostavnije zaglavlje za efikasniju obradu paketa
Hijerarhijsku strukturu mreže za efikasnije rutiranje
Podršku za široko primenjene protokole rutiranja
Podršku za autokonfiguraciju računara
Ugrađenu podršku za bezbednost podataka sa IPSec implementacijom.
Poboljšana podrška za Mobile IP
Ugrađena podrška za kvalitet servisa (QoS)
Povećan broj multicast adresa

Ovo su samo neke karakteristike koje donosi novi IP protokol, dok su mnoga poboljšanja skrivena i dolaze do izražaja tek dubljim proučavanjem IPv6.

Osnovne karakteristike IPv6 protokola

Zaglavlje IPv6
Prva uočljiva osobina IPv6 protokola je novo zaglavlje, koje je jednostavnije u odnosu na zaglavlje IPv4 rotokola. Jednostavnost se ogleda u činjenici da su u odnosu na prethodnu verziju protokola izbačena nepotrebna i retko korišćena polja kao i da su uvedena dodatna zaglavlja. Izbacivanje ovih polja dovelo je o brže obrade osnovnog zaglavlja, ali ukupna efikasnost i brzina obrade zavise od dodatnih zaglavlja.



Izvor: Akademska mreža Srbije - Uvod u IPv6
Slika 2. Format IPv6 paketa

Osnovno zaglavlje IPv6

Osnovno zaglavlje IPv6 protokola sadrži sledeća polja:

Verzija (Version): Polje je dužine 4 bita i služi, kao i u IPv4, za označavanje verzije protokola, što znači da je vrednost ovog polja 6.
Klasa saobraćaja (Traffic Class): Polje predstavlja klasu ili prioritet paketa i funkcionalnost mu je ista kao polju Differenciated Services (DS) u IPv4. Dužine je 8 bita.
Oznaka toka (Flow Label): Novo polje uvedeno u IPv6. Ovo polje omogučava diferenciranje paketa na mrežnom sloju, dodeljujući pakete određenom toku podataka između izvora i odredišta. Na taj način se dozvoljava aplikacijama krajnjih sistema da lako razdvoje saobraćaj i ostvare potreban QoS (Quality of Service). Dužina polja je 20 bita.
Dužina podataka (Payload Length): Polje predstavlja ukupnu dužinu podataka u paketu izraženu u bajtovima i dužine je 16 bita. Ovim poljem obuhvaćena su dodatna zaglavlja IPv6 i jedinica podataka (PDU) višeg sloja. Uz određenih 16 bita za ovo polje, ukupna veličina podataka može biti 65536 bajta. Međutim, za pakete veće od maksimalne veličine, poznate pod nazivom jumbograms, ovo polje ima vrednost 0 i koristi se opcija Jumbo Payload u dodatnom zaglavlju.
Sledeće zaglavlje (Next Header): Određuje koja vrsta informacije sledi posle osnovnog zaglavlja IPv6. Informacija koja sledi može biti dodatno zaglavlje IPv6, ICMPv6 ili podaci transportnog sloja (TCP ili UDP segment). Slično je polju Protocol u IPv4. Dužina polja je 8 bita.
Broj skokova (Hop Limit): Polje je slično Time-to-Live polju IPv4 i dužine je 8 bita. Predstavlja maksimalan broj rutera kroz koje paket može da prođe, nakon čega će biti odbačen. Svaki ruter kroz koji paket prođe dekrementira vrednost ovog polja za jedan. Kada vrednost polja postane 0 paket se odbacuje, a izvoru se šalje ICMPv6 poruka o grešci: Time Exceeded.
Adresa izvora (Source Address): Polje predstavlja IPv6 adresu izvora, dužine 128 bita.
Adresa odredišta(Destination Address):Polje predstavlja IPv6 adresu odredišta, dužine 128 bita.

Bezbednosne pretnje i najbolji načini zaštite od njih

Relativno mali nivo primene IPv6 poslednjih godina nije umanjio interesovanje hakera za njega. Napadi su usledili ubrzo nakon postavljanja prvih IPv6 mreža, pri čemu su korišćeni koncepti već viđenih kod IPv4, uz korišćenje slabih tačaka samog IPv6. Zato ima smisla povezivati bezbednosne pretnje kod IPv6 sa onima kod IPv4 i svrstati ih u dve kategorije: pretnje koje su se pojavile zahvaljujući novim aspektima u IPv6 i pretnje vezane za slično ponašanje i kod IPv4 i kod IPv6.

Pretnje vezane za nove aspekte IPv6 protokola
Neke Osobine karakteristične za IPv6 mogu da otežaju izvođenje nekih uobičajenih napada dok, sa druge strane, stvaraju i nova ranjiva mesta. Ovaj odeljak analiza te bezbednosne pretnje, koje su morale da se na neki način prilagode novim mogućnostima IPv6, ali i nove vrste pretnji koje ugrožavaju samo IPv6.

Izviđanje
Izviđanje ne mora nužno da označava napad, zato što najverovatnije neće negativno da utiče na mrežu ili njene korisnike. Međutim, ono je najčešće prethodnik napada i služi da napadaču obezbedi podatke o žrtvi.

Karakteristike
Uobičajena praksa pretraživanja pomoću pingova kod IPv6 ne predstavlja raspoloživu opciju. Bile bi potrebne godine za skeniranje 264 hostova na tipičnoj mreži dužine /64, čak iako se to radi velikim brzinama, koje bi, sa druge strane, odmah alarmirale bezbednosne mehanizme. Zato Network Mapper (Nmap), alat koji se najčešće koristio za indentifikovanje aktivnih hostova, ne podržava ovu tehniku za IPv6. Kod IPv6 je za izviđanje neophodno koristiti drugačije mehanizme:

DNS puzanje - ostaje opcija i kod IPv6. Uz eliminaciju prevođenja mrežnih adresa159 i teškoća u pamćenju 128-bitnih adresa, korišćenje Dynamic DNS-a može se povećati u IPv6 okruženju. Ukoliko DNS resursi nisu adekvatno zaštićeni, mogu da pruže informacije o velikom broju hostova.
Smanjenje obima potrage za hostovima - Napadač može da izvrši pametan izbor koji mu može pomoći da smanji adresni prostor koji je potrebno skenirati. Može da pokuša sa hostovima koji imaju lako pamtljive ID-ove interfejsa, poput ::1,::FFFF, ::F00D.
Kompromitovani mrežni element - može da obezbedi informacije od lokalnih hostova iz keša suseda.
Korišćenje multicast adresa standardizovanih za određene protokole - Ovaj mehanizam omogućava napadaču da indentifikuje ključne sisteme poput rutera i DHCP servera. Adrese sa većim opsegom se preferiraju, jer ne zahtevaju od napadača da se nalazi na lokalnom linku žrtve.

Najbolja praktična rešenja
Preporučena praktična rešenja bave se svim aspektima izviđanja:
- Minimiziranje šansi da napadač otkrije aktivne hostove.
- Ključnim sistemima i mrežnim elementima ne dodeljujte adrese koje je lako otkriti nagađanjem.
- Implementirajte proširenja za poboljšavanje privatnosti.
- Skeniranje zasnovano na stopiranju IMCPa- (Internet Control Message Protocol)
- Filtrirajte nepotrebni ICMP saobraćaj na graničnim delovima mreže, ali imajte na umu njegovu važnost u kontrolnoj ravni IPv6.
- Blokorajte IMCP eho pakete čioji se izvor nalazi van interne mreže.
- Implementirajte zaštitne mere na graničnim delovima.
- Iskoristite firewall za filtriranje servisa koji nisu neophodni. Kontrolišite multicast saobraćaj na graničnom delu mreže i stopirajte eksterni saobraćaj, dok interni saobraćaj ostaje zadržan. Primenite strogo definisane opsege na granici mreže.
- Primenite zaštitne mere na nivou hosta i aplikacija.
- Aktivirajte zaštitne alate poput bezbednosnih agenata i skenera virusa.

Zaključna Razmatranja

Veliki broj IPv6 mreža širom sveta dokaz je da prelezak na sledeću generaciju IP protokola nije samo puko predviđanje. IPv6 već sada prožima sve aspekte IP umrežavanja i komunikacija. Zato su razumevanje tehnologija i sposobnost planiranja, projektovanja i postavljanja IPv6 servisa neophodne veštine profesionalca u oblasti umrežavanja. Pored mnogih prednosti u odnosu na IPv4 standard, IPv6 standard pruža neograničen broj IP adresa i omogućuje autokonfiguraciju mobilnih uređaja. IPv6 protokol omogućava, takođe, dugo očekivano proširenje mreže. Za IT stručnjake koji bi unapred trebalo da planiraju razvoj i rast mreža, primena IPv6 standarda predstavlja veliki izazov. Kvalitetan plan za postepenu tranziciju je od esencijalne važnosti. IPv6 mreža će imati kapacitet potreban za nove vidove komunikacija i aplikacije.

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[159] NAT- Network Address Translation

MSC. NOL BUZHALA, DR. FLORENTINA XHELILI KRASNIQI, MSC. VLORA PRENAJ – NDIKIMI I ZONAVE EKONOMIKE NË ZHVILLIMIN E NDËRMARRJEVE TË VOGLA DHE TË MESME

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Abstrakt

Zhvillimi i përgjithshëm ekonomik si dhe krijimi i vendeve të reja të punës në shumicën e vendeve të botës e po ashtu edhe në Kosovë varet nga zhvillimi i sektorit privat.
Vështirësitë dhe sfidat e zhvillimit të bizneseve të vogla dhe te mesme janë të shumta dhe për përballimin më të suksesshëm të tyre nevojitet një mbështetje e bizneseve si në nivelin lokal ashtu edhe në nivel qendror me qëllim të krijimit të një ambienti më të përshtatshëm për zhvillimin e bizneseve te reja dhe zhvillimin e mëtutjeshëm të bizneseve ekzistuese.
Një formë e rëndësishme e mbështetjes së bizneseve është edhe krijimi dhe zhvillimi i zonave ekonomike.
Përvojat në shumë vende të botës vejnë në pah se zonat ekonomike janë treguar të suksesshme në krijimin, rritjen, zhvillimin dhe qëndrueshmërinë e bizneseve.
Çfarë mund të mësohet nga këto përvoja, cilat janë përvojat e funksionimit të deritanishëm të zonave ekonomike në Kosovë dhe çfarë duhet të ndërmerret në të ardhmen per zhvillimin e mëtutjeshem të tyre, janë në fokus të temës që do të trajtohet.

Fjalët kyqe: NVM-të, Zonat ekonomike, zhvillimi ekonomik, punësimi.

Hyrje

Me qëllim të përkrahjes dhe zhvillimit të NVM-ve në të gjitha vendet është duke u aplikuar një forme e re e përkrahjes së bizneseve përmes zonave ekonomike.
Zonat ekonomike në vende të ndryshme mund të ndryshojnë pak a shumë për nga emri dhe forma duke përfshirë zonat e lira ekonomike, parqet industriale, zona të lira tregtare, portet e lira, zonat e tregtisë së jashtme, zonat e përpunimit të eksportit, zona të veçanta ekonomike, zonat e lira të eksportit dhe forma të tjera.
Megjithatë, të gjitha kanë për qëllim gjenerimin e mundësive të punësimit, nxitjen e eksportit, tërhejen e investimeve dhe rritjen e konkurrueshmërisë së bizneseve.
Në këtë punim do te ofrohet një vështrim teorik mbi definimin dhe karakteristikat e zonave ekonomike, do të prezantohen disa përvoja të funksionimit të zonave ekonomike në disa vende për t'u fokusuar pastaj në zonat ekonomike në Kosovë dhe rekomandimet përkatëse.

Përkufizimi i Zonave Ekonomike

Në literaturë gjejmë koncepte të ndryshme të përkufizimeve të zonave ekonomike me terme të ndryshme, por që kanë kuptimin e zonës ekonomike. Pavarësisht dallimet në nomenklaturë, secila prej tyre vepron për të rritur tregtinë në mbarë rajonin e saj përkatës, duke ofruar lehtësira të veçanta të tregtisë për të stimuluar investimet të huaja, në rajon dhe vendore. Disa nga llojet e zonave ekonomike që funksionojnë në vende te ndryshme janë prezantuar ne vijim.

Zonat e posaçme ekonomike160 nxisin rritjen e tregtisë, të strukturuar përmes skemave tatimore të dobishme dhe të reduktuara nga mbikëqyrja doganore.
Zona e Tregtisë së Lirë (FTZ)161 janë një territor gjeografikisht i rrethuar, taksa të rregulluara ndryshe nga të zakonshmet, mundësi magazinimi, shpërndarje, tregti dhe import/eksport, operacionet në një mjedis rregullator të reduktuar, që do të thotë se ata përgjithësisht kanë kontrollë më të rreptë të punës doganore, mirëpo me përfitime (lehtësira).
Zonat e Trajtimit të Eksportit (Zone Procesing Export) janë pasuri industriale të dedikuara kryesisht tregjeve të huaja, ku prodhuesit e huaj gëzojnë privilegjin e importit të gjysmë fabrikantëve, taksave, përdorimit të infrastrukturës dhe përjashtimin nga rregullat dhe ligjet e ndryshme që zbatohen në pjesën tjetër të vendit162. Vendet në zhvillim i përdorin këto zona, për të stimuluar eksportet163.
Zonat e Ndërmarrjeve164 janë krijuar në përgjithësi nga qeveritë kombëtare apo lokale për të rigjallëruar ose zhvilluar një zonë urbane në gjendje të vështirë ekonomike. Zona e Fuqizimit, në Çikago të SHBA-së është një shembull i një Zone të Ndërmarrjeve.
Zonat Ekonomike Speciale (SEZ) janë të definuara si zona gjeografike të qeverisura nga një organ i menaxhmentit mbikëqyrës, që ofrojnë kushte dhe stimuj të veçantë të tregtisë për firmat të cilët zgjedhin që fizikisht të jenë të vendosura brenda tyre.
Zonat e Lira Ekonomike - paraprijës i Zonave të lira ishin Portat e lira doganore, të cilat ishin formuar në qytetet e mëdha evropiane me qëllim të sigurimit të qarkullimit sa më të shpejtë dhe më efikas të mallrave. Shembull është Zona e lirë e Trieshtes165 e themeluar më 1928, qëllimi kryesor i të cilës ishte që duke i orientuar mallrat përmes kësaj Zone të lirë, të ndikohet në shfrytëzimin maksimal të kapaciteteve deponuese, komunikacionit dhe të transportit166.
Zonat e lira tregtare (Free Trade Zone) e quajtur edhe Zonë e tregtisë së huaj kanë për qëllim zvogëlimin apo eliminimin e barrierave tregtare dhe uljen e kërkesave burokratike apo edhe rregulloret komplekse doganore me shpresën e tërheqjes së biznesit të ri (ndërmarrësve) dhe të investitorëve të huaj. Zona e parë e botërore e ZLT u krijua në Shannon, Co Clare, Irlandë167.
Zona speciale ekonomike (ZSE) përbëjnë një territor të caktuar gjeografik përbrenda një vendi, që zotëron rregulla të veçanta ekonomike që janë të ndryshme nga zona të tjera. Për më tepër, këto rregulla kanë tendencë të përmbajnë masa që janë të favorshme për investimet e huaja direkte.

Qëllimi i krijimit të zonave ekonomike

Sipas Ligjit për zonat ekonomike në Kosovë, nr. 04/L-159, krijimi i zonave ekonomike ka për qëllim168:
- nxitjen dhe inkurajimin e investimeve duke iu ofruar investitorëve infrastrukturë të përshtatshme për
- zhvillimin e veprimtarive afariste;
- nxitjen e investimeve private në veprimtaritë prodhuese;
- të ndihmojë në zhvillimin e përgjithshëm ekonomik, veçanërisht në sektorin privat;
- hapjen e vendeve te reja te punës dhe krijimin e të ardhurave;
- përqendrimin e bizneseve në një vend të caktuar dhe promovimin e tyre;
- zgjerimin e bashkëpunimit mes bizneseve;
- krijimin e kushteve për biznese për qasje më të lehtë në transport, furnizim me energji, ujë dhe shërbime në mbështetje të biznesit;
- rritjen e konkurrencës në biznesin vendor dhe ndërkombëtar;
- tërheqjen e teknologjive të përparuara dhe rritjen e konkurueshmërisë se prodhimeve dhe shërbimeve vendore;

160 FIAS, Special economic Zones performance, lesons learned, and implications for Zone development. 2008.
161 Burimi i njëjtë.
162 Ilia Kristo, Informacioni dhe kërkimi në marketingun ndërkombetar , Tiranë 2010.
163 International Labor Organization, Export processing zones growing steadily, Geneva, 2003.
164 FIAS, Special economic ZoneS performance, leS onS learned, and implicationS for Zone development 2008
165 Livio Callea, Publication of the economy zone of the Trieste, Geographic position, Trieste, 2012.
166 The Port Trieste wants a modern free trade zone, Trieste, 2012.
167 Zona e Lirë Shannon , Irland www.shannonireland.com
168 Ligji Nr. 04/L-159 për zonat ekonomike http://www.assembly-kosova.org/common/docs/ligjet/Ligji%20per%20zonat%20ekonomike.pdf

- përshpejtimin e zhvillimit rajonal dhe zgjerimin e lidhjeve ekonomike të tregut kosovar me atë ndërkombëtar;
- shpejtimin e qarkullimit të mallrave dhe të kapitalit.

Disa nga prakikat boterore lidhur me zonat ekonomike

Ekzsitojnë zona ekonomike të suksesshme në vende të ndryshme, disa prej të cilave janë prezantuar në vijim.169
Një model nga SHBA-të është Parku për Hulumtim "Cummings", i cili është model udhëheqës për transformimin e hulumtimeve që biznesi të jetë i suksesshëm. Me një përzierje të 500 kompanive lokale dhe ndërkombëtare të teknologjisë së lartë, ky park ka për qëllim rritjen e bizneseve, promovimin e përparësive ekonomike, zgjerimin e aktiviteteteve te anëtarëve, etj.

Zona e parë ekonomike dhe njëkohësisht dhe ndër më të njohurat në botë është Shenzhen, e themeluar nga Republika Popullore e Kinës në fillimin e viteve '80, e cila është një qendër e madhe e prodhimit dhe qendër e kompanive më të suksesshme high-tech të Kinës. Si rezultat i krijimit të zonës ekonomike, Shenzhen është tani një ndër qytetet më të pasura në Kinë.

Edhe Turqia ka një model shumë të suksesshëm të zonave ekonomike e cila është e njohur sidomos me ndarjen e zonave në bazë të veprimtarive siç është zona për përpunimin e arit, ajo për bujqësi si dhe ajo për tekstil. Turqia ka arritur t"i mbledh nëpër zonat ekonomike prodhuesit duke iu ofruar edhe stimulime shtesë siç janë lirimet nga taksat, përfitime qeveritare sipas kuantitetit të eksportit, etj.170.
TECH-GATE Vienna, Austria është poashtu një zonë ekonomike e njohur, e cila si fushëveprimtari të veten ka zhvillimin dhe hulumtimin, shkencën dhe biznesin, kompanitë e reja dhe ato me përmasa globale, telekomunikimin, teknologjinë informative dhe zhvillimin e softuerëve, bioteknologjinë dhe shkencat natyrore, nanoteknologjinë dhe teknologjinë e senzorëve, dhe teknologjinë e materialeve. Krijimi i kësaj zone ka mundësuar dhe mundëson punësim të sigurtë dhe kualitativ sidomos për banoret e zonës, inkurajim të një ambienti të ri për kompanitë e reja në fushën e teknologjisë, promovim të bizneseve dhe konkurrencës ndërkombëtare, si dhe përmirësim të dinamikës së inovacioneve dhe zhvillimeve.

Në Poloni ka 14 zona të veçanta ekonomike. Zona Ekonomike Speciale (ZES) është një kombinim i suksesshëm i nevojave të investitorëve dhe të nevojave të rajoneve të veçanta në të cilat ato janë krijuar. Çdo rajon është një njësi administrative e veçantë e territorit, të destinuara për përforcimin e punëve ekonomike në kushte të caktuara. Ndërmarrësit (kompanitë) në ZES kanë të siguruar lehtësim të taksave dhe një përfitim shtesë është fakti se kompania mund të fillojë të veprojë (varësisht nga lloji i biznesit) në një terren të përgatitur posaçërisht për veprimtarinë e kompanisë. Lejet për të kryer aktivitete ekonomike në ZES lëshohen nga autoritetet e çdo zone.

Në Bullgari një nga shembujt më të mirë të suksesshëm të partneritetit publik-privat është Zona Industriale në Rakovski e cila është e vendosur afër qytetit të Plovdivit. Sipas ekspertëve, për Zonën Industriale në Rakovski, zhvillimi i së cilës ka filluar në vitin 2004, ka mjaft të interesuar deri më tani dhe i ka të gjitha dispozitat për tu bërë Zona numër një në Bullgari.

Në Kroaci zonat ekonomike kanë karakteristikën e zonave të lira ekonomike dhe janë të vendosura pranë porteve të mëdha të Kroacisë, si Porti i Pulas, Porti i Riekës, Porti i Splitit, Porti i Dalmacias, etj. Zhvillimi i tyre është i ndryshëm në lokacione të ndryshme. Në përgjithësi, zonat e tilla kanë për qëllim tërheqjen e investimeve, veçanërisht të HDI-ve, si qendra tregtie ndërkombëtare për ata operatorë që i përdorin këto zona vetëm për pak kohë.

[169] MTI, Koncept Plani Kombëtar për zhvillimin e zonave ekonomike në Kosovë (2014-2018). http://www.zonatekonomike.org/repository/docs/Koncept_Plani_per_ZE_-_Final_857070.pdf
[170] GAP- Instituti për Studime të Avancuara, Ligji për Zonat Ekonomike: ndikimi i tij në zhvillimin e parqeve të biznesit, 2012, fq. 13.

Mali i Zi, ka miratuar ligjin për krijimin apo themelimin e zonave ekonomike të lira tregtare në vitin 2004. Ligji lejon lëvizjen e lirë të mallrave, kapitalit dhe punës në zona të tregtisë së lirë dhe ofron disa përfitime për investitorët së bashku me përjashtimin nga taksat, doganat dhe detyrave tjera. Mallrat dhe shërbimet që hyjnë në zonat e lira të tregtisë janë të përjashtuar nga TVSH-ja. Aktualisht, ka vetëm një zonë të tregtisë së lirë, e themeluar nga shteti brenda në Portin e Tivarit, e cila është pjesë e doganave në territorin e vendit.

Në Shqipëri historiku i zonave ekonomike fillon me përpjekjet për hartimin e kuadrit përkatës ligjor. Iniciativa për zhvillimin e Zonave Ekonomike gjenë shprehjen e saj procedurale në Ligjin për Zonat Ekonomike dhe konceptin e saj juridik në Ligjin e Koncesioneve. Kuadri ligjor bazë, Ligji i Koncesioneve si dhe Ligji për Zonat Ekonomike inkorporon praktikën më të mirë procedurale në zhvillimin e kësaj iniciative, duke qenë plotësisht konform legjislacionit evropian të ndihmës shtetërore për sa i përket trajtimit të Zonave të Lira Ekonomike.

Maqedonia është treguar tejet e suksesshme sidomos me zonat ekonomike përreth Shkupit, Tetovës dhe Stipit. Qeveria maqedonase përpos dhënies së tokave në shfrytëzim me çmim shumë atraktiv, ka ofruar edhe lirime nga taksat për 3-10 vitet e para të operimit të biznesit (e kjo varësisht nga lloji i biznesit prodhues) si dhe lirime nga tatimi në fitim për 50% në 5 vitet e para për punonjësit maqedonas të cilët i punëson firma171.

Zonat ekonomike në Kosovë

Ministria e Tregtisë dhe Industrisë përmes Agjencisë për Mbështetje të NVM-ve është mekanizëm institucional ekzekutiv për zbatimin e Ligjit për Zonat Ekonomike në Kosovë.
Zonat Ekonomike (ZE) janë një realitet i ri në Kosovë në kontestin e ekonomisë së tregut dhe si të tilla në një periudhë jo të largët do të bëhen bartës kryesorë të zhvillimit ekonomik dhe industrializimit të vendit.
Ky koncept plan mbështetet në: Ligjin për Zonat Ekonomike, Ligjin për Plotësimin dhe Ndryshimin e Ligjit për Mbështetje të NVM-ve, Kodin Doganor dhe të Akcizave, Kornizën Afatmesme të Shpenzimeve, Planin dhe Vizionin për Zhvillimin Ekonomik, Deklaratën e Politikave Prioritare Afatmesme dhe në Strategjinë për Zhvillimin e Sektorit Privat 2013-2017172. Qeveria e Republikës së Kosovës duke pasur zhvillimin ekonomik në prioritet, si dhe rëndësinë që zhvillimi i zonave ka në zhvillimin e përgjithshëm ekonomik, ka vendosur për krijimin e zonave të lira ekonomike.
Sipas Ligjit të Zonave Ekonomike 04/L-159, përkufizimi "Zonë Ekonomike" definon territorin që ka një status të veçantë ekonomik. Nismat e para për krijimin e zonave ekonomike kanë filluar në vitin 2004/2005. Ndërsa ligji i parë i zonave ekonomike, Ligji Nr. 03/L- 129, u miratua në vitin 2009 si legjislacioni i parë mbi zonat ekonomike në Kosovë. Më pas, ky ligj u rregullua edhe me akte nën ligjore. Për të avancuar legjislacionin me praktikat më të mira në rajon, ky ligj u zëvendësua me ligjin e ri Nr.-04/L-159, në vitin 2013, ku përkufizimi i "Zonë ekonomike" nënkupton një zonë gjeografike në kuadër të territorit shtetëror, që ka një status të veçantë ekonomik, e krijuar për qëllime të promovimit, zhvillimit të bizneseve173.
Krijimi i zonave ekonomike në Republikën e Kosovës ka për qëllim nxitjen dhe inkurajimin e investimeve në Kosovë duke iu ofruar investitorëve infrastrukturë të përshtatshme për zhvillimin e tyre, hapjen e vendeve te reja te punës dhe krijimin e të ardhurave, tërheqjen e teknologjive të përparuara; përqendrimin e bizneseve në një vend të caktuar; zgjerimin e bashkëpunimit mes bizneseve; krijimin e kushteve për biznese për qasje më të lehtë në transport, furnizim me energji dhe shërbime të tjera në mbështetje të biznesit si dhe rritjen e konkurrencës në biznesin vendor.

[171] GAP- Instituti për Studime të Avancuara, Ligji për Zonat Ekonomike: ndikimi i tij në zhvillimin e parqeve të biznesit, 2012, fq. 11.
[172] MTI, Koncept Plani Kombëtar për zhvillimin e zonave ekonomike në Kosovë (2014-2018). http://www.zonatekonomike.org/repository/docs/Koncept_Plani_per_ZE_-_Final_857070.pdf
[173] MTI/Agjencia për mbështetje të NVM-ve, Ligji për Zonat Ekonomike ka nr. 04/L-159 , Prishtinë, 2013 http://www.assembly-kosova.org/common/docs/ligjet/Ligji%20per%20zonat%20ekonomike.pdf

Zonat ekonomike dhe iniciativat në Kosovë janë:174

Parku i Biznesit në Drenas (PBD) që vleresohet si një projekt kapital, si përfshirje për të siguruar që ky park biznesi t'i shërbej zhvillimit ekonomik të Kosovës përmes gjenerimit të vendeve të punës, rritjes të të ardhurave, e në anën tjetër duke shërbyer si testim dhe model i një filozofie të re të zhvillimit të ardhshëm të ndërmarrjeve në Kosovë dhe për tërheqjen e IHD-ve. Ky park biznesi paraqet fazën e parë për krijimin e një zone të gjerë që është arritur në pjesën qendrore të Kosovës. Kompanitë e orientuara nga prodhimi i produkteve me vlerë të shtuar duke përfshirë edhe shërbimet, do të jenë synim për mbi 80% të hapësirës së parkut.
Parku i Biznesit krijon perspektivë për punësimin e deri në 1000 punëtorë, 40% e të cilëve do të jenë nga rrethina e Drenasit, pasi si zonë e tillë ekonomike ka për qëllim të ulë papunësinë në rrethinën në të cilën është ndërtuar ky park. Në Parkun e Biznesit në Drenas, kanë kontratë 41 biznese, ku tri prej tyre janë investime të huaja dhe 5 janë bashkëinvestim.
Parku i Biznesit – Mitrovicë, ku janë të vendosura 22 biznese të selektuara. Parku është i kompletuar me infrastrukturë fizike e cila ofron kushte optimale për zhvillim të bizneseve175.
Zona Ekonomike – Parku Industrial në Mitrovicë, e cila ka marre pëlqimin nga Ministria e Tregtisë dhe Industrisë, si dhe ka filluar punimet në nivelizimin e terenit.
Zona Ekonomike-Parku Teknologjik në Shtime,e cila është pasuri shoqërore e Kuvendit Komunal - Shtime. Në të parashihen vendosja e 15 Bizneseve të vogla dhe të mesme të karakterit kryesisht prodhues dhe në të cilën parashihen të punësohen rreth 600 punëtorë, i cila ka marre pëlqimin nga Ministria e Tregtisë dhe Industrisë, si dhe ka filluar punimet në nivelizimin e terenit.
Iniciativat e krijimit të zonave ekonomike në Kosovë të cilat ndodhen në fazën e legalizimit janë: Parku i Biznesit – Vushtrri, Parku Industriale Holandez "Zinkunie" Prizren, Zona Industriale në Suharekë , Zona Ekonomike - Gjilan/Novobërdë.
Me qëllim të tërheqjes së investimeve vendore dhe të huaja janë themeluar zonat e lira ekonomike në bazë të propozimit të Ministrisë dhe konsultimit me Doganat e Kosovës dhe komunën në territorin e së cilës parashikohet të themelohet zona e lirë. Këtu bëjnë pjesë: zona e Lirë Ekonomike në Mitrovicë, zona e Lirë Ekonomike në Gjakovë dhe zona e Lirë Ekonomike në Prizren176.

Vlerësimi i përgjithshëm për zonat ekonomike

Vlerësimi për zonat ekonomike në vende të ndryshme është bërë në bazë të analizave të ZE, parqeve industriale, parqeve shkencore, parqeve teknologjike, në aspektin e organizimit dhe mënyrës së funksionimit të tyre: për zonat ekonomike publike dhe ato private177.

Zonat ekonomike publike kanë një zhvillim më të hershëm në krahasim me zonat ekonomike private, sepse zhvillimi i këtyre zonave ka filluar shumë më herët, duke pasur parasysh se shtetet kanë pasur programe zhvillimore në të cilat kanë investuar nëpër pjesë të ndryshme të vendit duke implementuar programet e tyre zhvillimore. Në këto zhvillime ka pasur ndikim edhe mënyra e organizimit shtetëror në të kaluarën dhe tani.
Te disa shtete (psh. shtetet e rajonit) ndikim në zhvillimin e zonave industriale ekonomike ka pasur organizimi politik i shtetit dhe qasja e shtetit ndaj kapitalit si dhe politikat zhvillimore për kapitalin privat. Në disa shtete, zonat ekonomike publike vazhdojnë të jenë faktor i rëndësishëm i zhvillimit ekonomik. Orientimi i këtyre zonave është drejt investimeve të huaja dhe promovimit të ekonomisë, bizneseve vendore, etj.

Zonat ekonomike private janë më pak të shtrenjta për t'u zhvilluar dhe kanë kosto të ulët operacionale në krahasim me zonat ekonomike publike të një vendi si dhe japin rezultate më të mira ekonomike.

[174]MTI, Koncept Plani Kombëtar për zhvillimin e zonave ekonomike në Kosovë (2014-2018). MTI-KIESA, web faqe per zonat ekonomike ne Kosove: http://www.invest-ks.org/sq/zonat-ekonomike
[175]MTI/Agjencia për mbështetje të NVM-ve, Zonat ekonomike, Prishtinë 2013
[176]KIESA-Agjencia per investime dhe perkrahjen e ndermarrjeve ne Kosove, MTI, http://www.zonatekonomike.org/sq/zonat-e-lira-ekonomike
[177]MTI, Programi per menaxhimin e zonave ekonomike ne Kosove, hulumtim nga Universiteti për Biznes dhe Teknologji, 2011. http://www.zonatekonomike.org/repository/docs/Programi_per_menaxhimin_e_Zonave_Ekonomike_602829.pdf

Në tërësi, zonat private kanë tendencë që të ofrojnë infrastrukturë dhe shërbime më të mira, marrin çmime më të larta nga qiramarrësit. Si rezultat, zonat private në përgjithësi kanë qenë më fitimprurëse dhe kanë pasur performanca më të mira sociale dhe mjedisore se sa zonat publike në të gjithë botën178.
Krijimi i zonave ekonomike duhet bërë pas një studimi të fizibilitetit - arsyeshmërisë financiare, gjithnjë duke pasur parasysh kosto-përfitimin dhe periudhën e kthimit të investimit.
Përvojat e vendeve të ndryshme tregojnë se deshtimi apo suksesi i zonave ekonomike është i lidhur me kornizën dhe politikat nxitëse, ku janë të vendosura dhe si ato janë te zhvilluara dhe të menaxhuara. Problem i cili paraqitet lidhur me arritjen e një performance optimale të zonave ekonomike është mungesa e koordinimit efektiv të të gjithe akterëve të përfshirë në aspektet procedurale dhe fizike të vet zonës ekonomike179.

Përfundim

Krijimi i zonave ekonomike në Republikën e Kosovës ka për qëllim të inkurajojë investimet në Kosovë, duke iu ofruar investitorëve infrastrukturë të përshtatshme për zhvillimin e tyre, të mundësojë hapjen e vendeve te reja të punës dhe krijimin e të ardhurave, tërheqjen e teknologjive të përparuara, të zgjerojë bashkëpunimit mes bizneseve, të krijojë kushte për biznese për qasje më të lehtë në lidhje, transport, furnizimi me energji, ujë dhe shërbime në mbështetje të biznesit, të rrisë konkurrencën në biznesin vendor, etj.
Nevojiten lehtesira tatimore, doganore, lirim nga taksat komunale dhe mbështetetje me politika fiskale, sidomos në fillim të veprimtarisë së bizneseve dhe se kjo përkrahje duhet të jetë e vazhdueshme me qëllim të krijimit të një ambienti më të favorshëm për bizneset që do te investojnë në kuadër të zonave ekonomike.
Është i nevojshëm një vlerësim i tyre pas një periudhe të caktuar kohore të funksionimit të tyre lidhur me përfitimet e arritura nga krijimi dhe funksionimi i zonave ekonomike dhe rezutatet e arritura të krahasohen me objektivat e parashtruara, për të nxjerrur mësimet për zonat ekonomike të tjera të cilat do të mund të krijoheshin në vazhdimësi.

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PROF. DR. FAHRUSH REXHEPI – INTEGRIMI I SHQIPTARËVE MUSLIMAN NË EVROPË DHE ROLI I FESË NË SHOQËRI

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Abstrakt

Integrimet multikulturore, multifetare dhe multinacionale ndërmjet popujve dhe shoqërive me diversitete të ndryshme kombëtare, kulturore dhe fetare është në të vërtet një synim dhe një sfidë për të gjitha kombet dhe shoqëritë e rajonit të Ballkanit, por edhe më gjerë. Trajtimi i temave me përmbajtje të tilla në këtë konferencë orienton dhe kontribon kah avansimi i promovimit dhe kultivimit të vlerave kulturore, paqësore, tolerante dhe të dialogut në shoqëritë shumë etnike dhe multikonfesionale në Kosovë, në rajonin e Ballkanit dhe më gjerë.
Angazhimi i bashkësive fetare dhe i personaliteteve fetare në proceset kulturore, politike, integruese dhe në paqëndërtim, mund të themi se është një vlerë më shumë për emancipimin e shoqërive në Ballkan, dhe një përgjegjësi sa kombëtare po aq edhe fetare e këtyre njerëzve për të cilët ka nevoj çdo shoqëri.
Besimet fetare kërkojnë respektimin e të drejtave të njeriut dhe predikojnë barazi midis qenieve njerëzore. Ato hedhin poshtë çdo formë të diskriminimit racial, fetar dhe kulturor duke bërë thirrje për lirin e të gjithëve, pa inponim në fe dhe ndërhyrje në lirin individuale të njerzve. Edhe islami bënë thirrje për njohje, dialog dhe bashkpunim reciprok ndërmjet popujve dhe kombeve për të rritur stabilitetin dhe garantuar paqën në rajonin e ballkanit, por edhe më gjërë.
Edhe librat e shenjta qiellore ftojnë për dialog, marrveshje dhe bashkpunim mes pjestarëve me besime të ndryshme. Kur'ani, libri hyjnor i muslimanve duke folur për dialog dhe bashkpunim fton duke thenë: " O ithtarë të librit, ejani të bashkohemi (të dialogojmë) rreth gjërave të përbashkta edhe për ju, edhe për ne: të adhurojmë vetëm një Zot e mos t'i bëjmë asnjë shok Atij dhe mos ta marrim njëri-tjetrin për Zot, në vend të Perëndisë".

Fjalët kyqe: dialog, paqe, islam, tolerancë

Roli i fesë në shoqëritë moderne

Kontributi dhe roli i bashkësive fetare dhe i fesë si dhe bashkpunimi i tyre me institucionet publike shtetrore në ndërtimin e paqës dhe në zhvillimin e proceseve multinacionale, multikonfesionale si dhe në ato politike dhe integruese, është shumë i rëndësishëm dhe mund të themi se është një vlerë më shumë për emancipimin e shoqërive dhe një përgjegjësi sa fetare e humane po aq edhe politike e shtetrore për të cilat ka nevojë çdo vend.
Besimet fetare kërkojnë respektimin e të drejtave të njeriut dhe predikojnë barazi midis qenieve njerëzore. Ato hedhin poshtë çdo formë të diskriminimit racial, fetarë dhe kulturor duke bërë thirrje për lirinë e të gjithëve , pa inponim në fe dhe ndërhyrje në lirinë individuale të njerëzve.
Islami si fe hyjnore në vazhdimsi bënë thirrje për njohje, dialog dhe bashkpunim reciprok ndërmjet popujve dhe kombeve për të rritur stabilitetin dhe garantuar paqën në Kosovë, në rajon dhe në botë. Njerëzit janë krijuar të ndryshëm për t'u njohur në mes vete, e jo për të treguar, e shprehur urrejtje ndaj njëri-tjetrit. Këtë e theksoi Kurani që në fillim të shpalljes së tij:"O njerëz! Ne ju kemi krijuar prej një mashkulli e një femre dhe ju kemi bërë popuj e fise që ta njihni njëri – tjetrin. Më fisniku tek All-llahu është ai, i cili më shumë e ka frik Atë. All-llahu, me të vërtetë është shumë i ditur dhe i informuar mirë".180

[180] Kur`an: *(Huxhurat, 13)*

Për të luajtur rol feja dhe institucionet fetare në shoqërinë kosovare dhe gjithkund në botë, atyre duhet dhënë më shumë hapsirë në jetën publike, në jetën mediatike dhe në institucionet tjera qofshin ato të arsimit, të shkencës dhe kulturës. Thjeshtë feja dhe roli i saj nuk duhet të vështrohet si diçka që nuk e ka vendin në institucione dhe në jetën publike të shoqërisë sonë, dhe si diçka që duhet të mbetet private dhe e izoluar.
Ne mendojmë se bota sot por edhe të gjithë shoqëritë tona kanë nevojë për energji fetare, të cilën shumë vende po e shfrytëzojnë ngase laicizmi është treguar i pasukseshëm në zgjidhjen e problemeve shoqërore e veçmas atyre morale e shpirtërore.
Këtë e vërteton fakti i pa kontestuar se sot bota posedon pasuri dhe të mira materiale më shumë se kurrnjëher më parë, por aq sa të shtohen begatitë dhe të mirat materiale aq më shumë shtohen pasiguria dhe rrezikimi i paqes. Pra gjykohet kështu ngase besimi i pastërt dhe i sinqertë në Krijuesin e gjithsisë është i vetmi burim , i cili te individi dhe shoqëria prodhon pandërprerë paqë, qetësi dhe stabilitet. Lidhur me këtë një citat Kur'anor thotë: "Ata që besuan dhe besimin e tyre nuk e ngatrruan me besim të kotë, atyre u takon të jenë të sigurtë dhe ata janë në rrugë të drejtë"181 .
Bota njerzore sot duke rënë nën ndikimin e plotë të materies dhe duke harruar komponentin tjetër të përbërjes së tij , shpirtëroren, ka rënë nën ndikimin e ligjit të vetëvlersimit, që nënkupton zbatimin e ligjit më të fuqishmit, i cili është sistem i botës shtazore, e jo i botës njerëzore.
Edhe në ligjerimin politik e akademik perëndimor hasim disa pikëpamje mbi natyrën, vendin dhe rolin e fesë në botë në përgjithsi dhe të islamit në veçanti përsa i përket aspektit politik dhe zgjidhjes së konflikteve. Për në fillim më janë dukur më të përshtatshmit dhe më interesante dy vlerësime. Njëri është i rabninit të Anglis Dr. Xhonatan Saksit, i cili ka thënë: "Feja është bërë forcë madhore në formësimin e ngjarjeve në botë dhe nëse nuk është pjesë e zgjidhjes është me siguri pjesë e problemit"182
Ndërsa vlerësimi tjetër, është i ish presidentit të SHBA-ve , Xhimi Karter, i cili është shprehur se : "Vitet e fundit besimi fetar ka hyrë në një shkallë të pabesueshme në mbretërinë e politikës … dhe se… ka një prirje drejtë fondamentalizimit në të gjitha fetë".183 Madje, për ndikim e teolgjisë në politikën e SHBA-ve kuptojmë edhe më shumë nga drita e mendimeve të Xhimi Karterit i cili thekson se: "Besime teologjike ngushtësisht të përcaktuar janë pranuar si rend i rreptë dite nga një parti politike…Disa nga udhëheqësist fetarë kanë qenë në vijën e parë të frontit për të na çuar në luftën e Irakut" (Vlerat tona në rrezik, 2005 f. 7, 114). Ideja se teologjia ndikon shumë në politikën shtetrore amerikane është objekt shtjellimi në 400 faqet e librit të Kevin Filips "Teokracia amerikane" (American theocracy 2006).184
Nëse i referohem një shkrimi të Kardinalit Ratzinger (Papa Benedikti XVI) të botuar në revistën gjermane "Cicero" do të shohim se sa e nevojshme është për perendimin besimi në fe dhe në Zot. Ai ndër të tjera në këtë revistë shkruan: "Perendimi vuan nga një vetëurrejtje e quditshme, e cila s`mund të quhet ndryshe përpos patologjike… Për të mbijetuar Evropa duhet t`a pranoj veten në një mënyrë të re… një botë pa Zot nuk ka ardhëmri … Evropa është e sëmurë".185
Sa i përket islamit, ai është program që jep shpjegimin realist të jetës dhe si fe përkon me natyrën njerëzore. Më saktë ai është: "një vetëdije e thellë politike, përshkak të një konceptimi të përgjithshëm dhe të kompletuar mbi jetën, universin, shoqërinë, politikën, ekonominë dhe etikën".186 Mbështetur në këtë premisë islami ofron vizionin e një jete civilizuese ku duhet të mbretëroj ligji, rendi, paqa dhe drejtësia në jetën shoqërore. Islami rregullon marrëdhëniet njeri - njeri, njeri -shoqëri, njeri - natyrë dhe njeri – Krijues.

Shqiptarët musliman dhe integrimi në BE

Kur jemi te integrimi dhe roli i fesë dhe muslimanëve në këtë integrim, për shkak se shumica e shqiptarëve në trojet shqiptare i përkasin besimit islam, ka pasur shpeshëher opinione, polemika dhe

[181] Kur`an: (El-Enam. 82)
[182] Kliford Longli "Populli i zgjedhur" (Clifford Longley, "Chosen people…", Angli, 2002, f.148).
[183]Jimmy Carter "Our endangered values. America's moral crisis", 2005, fq.16,30.
[184] Abdi Baleta, *"Integrimi i shqiptarëve në Evropë dhe vlerat që islami përcjellë në këtë integrim",* Simpozium Kombëtar, 2008, fq. 71.
[185]Kardinali Ratzinger, Revista " Cicero", qershor, 2004.
[186]Muhamed Bakir ess- Sadër, Filozofia jonë, Prishtinë, Zëri ynë, 2006, fq.67.

debate në të cilat ky fakt është konsideruar si një penges për integrimin e shqiptarëve në mekanizmat ndërkombëtar.
Ne mendojmë se këto opinione janë të gabuara dhe janë përpjekje të paargumentuara sepse pa shqiptarët musliman nuk mund të ketë as shtet as komb, nuk mund të ketë as tolerancë ndërfetare as tolerancë multietnike e kësi soji nuk mund të ketë as unitet, e as integrim të brendshëm ndër shqiptar, dhe në fund as integrim ndërkombëtar.
Është mrekulli e mrekullive se si nën kthetrat e disa perandorive arritën të mbijetojnë shqiptarët nëpër shekuj, pa u nda dhe pa u tretur asnjëher. Me pranimin e fesë islame nga shumica e shqiptarëve, shqiptarët jo vetëm që mbijetuan, por edhe shpëtuan nga asimilimi dhe shkombëtarizimi. Të vërteta të qëndrueshme janë fjalët e Faik Bej Konicës i cili thotë: "Të mos ishte feja islame, populli shqiptar do të ishte shumë më tepër por jo shqiptar...187. Të vërteta të qëndrueshme janë edhe fjalët e Stavro Skëndit i cili në librin "Historia e Rilindjes Kombëtare" të botuar në universitetin "Princeton" të Nju Xhersit, në SH.B.A. , shkruan: "Shqiptarët musliman përbënin shumicën dhe pa ata nuk mund të kishte Shqipëri".188

Shqiptarëve musliman nuk u ka munguar asnjëher edhe klasa e formuar intelektuale shumë profesioniste e prijësve të tyre islam. Ata kanë treguar gjat gjithë historisë së tyre, se islami si pjesë e rëndësishme e identitetit të tyre, ka qenë dhe do të jetë përherë një shtytës dhe një mobilizues i rëndësishëm i angazhimeve dhe aspiratave të tyre kombëtare dhe kulturore. Ata kanë besuar vazhdimisht, se atdheu i tyre është pjesë e pandarë e një nocioni gjeografik që quhet Evropë, sikurse kanë qenë të bindur gjithmonë se mirëqenia e tyre në trojet e veta është e lidhur pashmangshëm në nxitjen, përkrahjen si dhe promovimin e vazhdueshëm të vlerave të bashkëjetesës, bashkëekzistencës dhe mirëkuptimit me fqinjët e tyre, së pari, si dhe me të gjithë pjestarët e tjerë të familjes gjeografike, së cilës natyrshëm ata i përkasin.
Lidhur me integrimin e shqiptarëve sot në mekanizmat ndërkombëtare evropian mendojmë se shumica apsolute e popullatës së Kosovës janë pro integrimeve evropiane, pavarësisht nacionalitetit apo fesë që i përkasin. Mirëpo, shqiptarët do të pranonin të integrohen në Evropë me vlerat kulturore dhe me identitetin e tyre kombëtar, gjuhësorë, kulturor dhe tradicional e jo të qveshur nga këto ndjenja. Shqiptarët sot jo rrallëherë po përballen me sfida të tjetërsimit kulturor, sepse ndryshku moral, gjuhësor.shpirtëror, fetar e kombëtar po përhapet me shpejtësi ndërshqiptarët në Kosovë dhe jashtë saj.

Shqiptarët në Kosovë janë pro integrimeve evropiane dhe duhet të jenë pro këtyre integrimeve në BE, por jo drejt asimilimit të identitetit kulturor. Për të kuptura më mirë se në çfarë raporti gjenden integrimi dhe asimilimi kur bëhet fjalë për Bashkimin Evropian, ne duhet ta ndajmë të kuptuarit tonë në dy çështjë thelbësore.
Së pari: A është në të vërtet Bashkimi Evropian i integruar në vetvete dhe cili është të kuptuarit e këtij integrimi nga antarët e BE-së në raport me shtetas të kulturave dhe etnive të ndryshme? Së dyti : Cili është qendrimi i BE-së në procesin e integrimit, kur bëhet fjalë për shqiptarët si përfaqësues të një identiteti kulturor të ndryshëm me BE-në dhe pozicionimi i lidershipit politik shqiptar? Në spektrin shqiptar integrimi në strukturat e BE-së ka marrë forma dhe trajta të ndryshme. Ashtu si në pjesën më të madhe të vendeve të Ballakanit, integrimi për pushtetarët shqiptar është kthyer në një prioritet të shkallës së parë. Por në ndryshim nga vendet e tjera aspirante për t`u bërë anëtare të BE-së, shqiptarët si bartës të një identiteti kulturor të ndryshëm, përballen me një realitet integrues, sa të veçantë, aq edhe qesharak. Të veçantë në trajtimin që BE duhet t`i bëjë Kosovës dhe shqiptarëve të shpërndarë në të gjitha vendet ballkanike, që aspirojnë integrimin dhe qesharak në politikat, strategjitë që ndjekin shpesh qeveritë dhe elita kulturore shqiptare. Nga ana tjetër qeveritë dhe elita kulturore shqiptare e kanë shpallur integrimin në BE si shpëtim përfundimtar dhe si parajsa e zgjidhjes së të gjitha problemeve. Për këtë arsye gjatë kësaj dekade të fundit po përthithin pa filtër fare gjithçka që është oksidentale duke tentuar hapur të dëmtojnë apo të transformojnë strukturën e AND-së tonë identitare. Ndërkohë që Bashkimi Evropian akoma nuk e ka kaluar sprovën e pranimi të anëtarëve me identitet religjioz të ndryshëm nga i saji, shqiptarëve u mbetet të tregojnë vlerat e veta si një popull, i cili ka

[187] Faik Ali Hoxha- Kasollja , Në pragun e misticizmit, Tiranë, 2002, fq.15.
[188] Integrimi i shqiptarëve në evropë dhe vlerat që islami përcjell në këtë integrim, Kavaj, Shkurt, 2008, fq.8.

ditur për gjatë historisë të bëjë zgjedhjet e duhura. Ndoshta ne shqiptarët duke ruajtur identitetin tonë mund ta ndihmojmë BE-në të kapërcejë muret ndarëse, frikën dhe fobirat që vijnë si kujtim nga e kaluara.

Liritë dhe të drejtat themelore të njeriut sipas modelit islam

Sistemi islam nuk është i kufizuar vetëm në të drejtat e ithtarëve të tij, gjë që në fakt e dallon Islamin nga të tjera sisteme jo vetëm të asaj kohe, por edhe të mëvonshme. Aty jomuslimanët dhe muslimanët marrin pjesë në shumë të drejta të përgjithshme, të cilat askush nuk arriti t`i siguroj më parë.
Allahu i madhëruar thotë: "Ne i nderuam të gjithë pasardhësit e Ademit". Këtu duket qartë thirrja që bënë Kurani për mbrojtjen e dinjitetit njerëzor, pa marrë parasysh përkatësinë e tyre fetare.
Islami nuk i ka detyruar njerëzit të hyjnë në këtë fe me dhunë, kështu që edhe jomuslimanëve u ka lënë liri të plotë të qëndrojnë në fenë e tyre, duke mos i detyruar të përqafojnë islamin. Në Kuran citohet: "Sikur të kishte dashur Zoti yt (o Muhamed), do t`i besonin Atij të gjithë banorët e tokës. A ti do t`i detyrosh njerëzit të bëhen muslimanë?"189
Një tjetër precedent shumë i rëndësishëm historik, në këtë kontekst është edhe Muri i Vajtimit në Jeruzalem, të cilin sot hebrenjët e konsiderojnë të shenjtë në lutjet e tyre. Dikur ky mur ishte i fshehur mes mbeturinave. Kur dëgjoi për këtë, Halifi i shtetit islam, sultan Sulejman Kanuni, dërgoi prijësin islam të Jeruzalemit me urdhër që ta pastroj vendin dhe t`i lejoj çifutët që ta vizitojnë atë vend. Orientalisti anglez Tomas Arnold thotë: "Ne asnjëherë nuk kemi dëgjuar për ndonjë përpjekje për të detyruar jomuslimanët për të pranuar Islamin apo për ndonjë persekutim të organizuar që ka pasur për qëllim zhdukjen e Krishterimit. Në qoftë se Halifët muslimanë do të kishin zgjedhur një nga këto plane, ata do ta kishin fshirë Krishterimin nga faqja e dheut po aq lehtë siç u bë me Islamin gjatë kohës së Ferdinandit dhe Isabelës në Spanjë."190

Islami dhe paqja nga këndvështrimi perendimor

Dihet mirëfilli se feja islame nuk është fe e luftës dhe as nuk nxitë dhunë edhe pse një pjesë e njerëzve nga shumë shoqëri të botës e akuzojnë islamin si fe të luftës. E vërteta është se islami është fe e paqës, tolerances, dialogut, marrveshjes dhe nuk e lejon luftën, përveç në raste kur është më se e nevojshme ajo, kur s'ka ndonjë rrugë tjetër përpos saj, si dhe nuk e justifikon muslimanin që të shpresojë në luftë, apo të thërras në të qoftë edhe ndaj agresorve, ndaj abuzuesve, nga se duhet provuar mjetet tjera paqësore, nëse kanë efekt, në mënyrë që të mos derdhet gjaku përmes armëve, por të përdoren metodat tjera për eleminimin dhe shmangien e luftës.
Në këtë kontekst Pejngamberi a.s thoshte: " O ju njerëz mos shpresoni në takim me armikun, luteni Allahun për shëndet të mire, e nëse i takoni armiqët (në betejë) dijeni se Parajsa është nën hijen e shpatave", e pastaj ai thoshte: " O Zot zbritës i librave, shtytës i reve, mposhti ata dhe mundësona të ngadhnjejmë ndaj tyre".191
Islami, jovetëm që nuk nxitë luftën e dhunën, por edhe është kategori kundër këtij fenomeni, madje mbytjen e një njeriu të pafajshëm e konsideron si mbytje të tërë njerzimit: "…kush mbytë një njeri (pa të drejtë), pa pasë mbytur ai ndonjë tjetër dhe pa pasë bërë ai ndonjë shkatrrim në tokë, atëherë (krimi i tij) është si ta kishte mbytur gjith njerëzimin. E kush e ngjall (bëhet shkak që të jetë ai gjallë) është si ta kishte ngjallur (shpëtuar) gjithë njerzimin".192
Kur flasim për islamin dhe paqen ose të kundërtën, islamin dhe luftën, apo ekstremizmin nga këndvështrimi perëndimor patjetër duhet ti rikthehemi edhe një herë ligjërimit politik perëndimor, por pa e harruar edhe konstatimin e ish presidentit të SHBA-ve, Xhimi Karter , për "praninë e fundamentalizimit dhe ekstremizmit në të gjitha fetë". Ky konstatim dhe shumë konstatime të personaliteteve dhe të studijuesve të tjerë na bënë ta kuptojmë se ekstremizmi nuk ka ngjyrë dhe nuk njeh kufij.

[189] Kur`an: (Junus, 99).
[190] Kreshnik Osmani, "Standardet e integrimit evropian, janë kërkesa islame përpara se të jenë kushte për integrim", në : "Integrimi i shqiptarëve në Evropë dhe vlerat që islami përcjell në këtë integrim". Kavajë, shkurt, 2008, fq.26-27.
[191] Transmeton Buhariu, Libri i xhihadit, nr. i hadithit 2821. Muslimi, nr. i hadithit 3276.
[192] Kur`an: (El-Maide, 32).

Nga fetë më të përhapura monoteiste në botë, islami është bërë tema madhore dhe më e mprehtë e ditës në ligjërimin perendimor politik. Në kuadër të këtij ligjërimi "hapësira islamike u bë qendra nervore e universit tonë të vënë në rrugën e mondializimit".193 Këtu lindën edhe kundërthëniet rrethë hipotezave nëse perendimi po i vënte në shënjestër islamin e muslimanët për të plotësuar nevojën për një armik të ri, që të ruaj kompaktësin e tij si sistem dhe si politikë, apo me të vërtetë perendimi ndihej dhe ishte i kërcënuar nga rreziku i quajtur fundamentalizëm dhe terrorizëm islamik.
Kur e shtrojmë këtë dilemë dhe kur e ngrejme këtë pyetje, ndoshta përgjigjen mund ta gjejmë në veprën "Islami dhe miti i konfrontimit…" i autorit Fred Hollidei. Ai përmes kësaj vepre paralajmëronte se: "Pas mbarimit të luftës së ftohtë duket se rivalitete të reja do ta zëvendësojnë atë, një prej të cilëve është ai midis islamit dhe perendimit".194 Ndërsa Xhon Espozito ka shkruar se: "Shekulli XXI to të mbizotrohet nga ndeshja globale e dy feve me rritjen më të shpejtë, krishterimit dhe islamit". Këtë mendim e ka shprehur në veprën e tij "Lufta pashenjtëri".
Megjithatë pasë tragjedisë së 11 shtatorit 2001, sulmi ndaj islamit dhe muslimanëve u bë pothuajse modë për televizionet, radiot dhe mediat tjera të shkruara perendimore. Shkrimtarë, studiues, analistë, politikaj, dhe autorët anti-islam përpiqen të jenë kopje e njëjtë e Steve Emersion, në kohën kur islami portretizohet si fe që promovon dhunën dhe luftën.195 Hirësia e tij Jerry Fallvell pas 11 shtatorit pati deklaruar se : "Muhamedi është terrorist, kurse islami është fatkeqësi". Ndërkohë që Pat Robertson e ka quajtur islamin armik, kurse për muslimanët ka thënë: "Muslimanët janë më të këqij se nazistët".196
Islamofobia ishte përhapur edhe në vende të tjera të perendimit, sidomos në Francë. Kështu Patrik De Klark, shkrimtar dhe analist francez, i cili në gazetën e njohur franceze "Le Monde" boton një artikull me titull : "Unë e urrej islamin", në të cilin, ai e sulmon islamin me shprehjet dhe atributet më të këqija duke thënë: "Ai sjell marrëzinë, sepse ai bënë segregacion mes dy gjinive…. sistemi i të menduarit të tij mbështetet në luftën e shenjtë".197
Shembuj të këtillë ka përplot. Por, në këtë rast vlen të përmendet edhe ana tjetër e medaljes. Pas ngjarjeve tragjike të 11 shtatorit, një numër i konsiderueshëm i intelektualëve perendimor u solidarizuan me popullaten muslimane si në SHBA ashtu edhe në Evropë, duke bërë dallimin ndaj një përjashtimi të një grupi ekstremistësh dhe islamit si fe universale dhe muslimanëve si popull, të cilët jetojnë në të gjitha kontinentet e Botës.

Përkrahësit e ideve më të ashpra në ligjërimin perendimor për islamin shpeshëherë shprehin pakënaqësi dhe zemërim, kur politikanët e rëndësishëm perendimor i thonë disa të vërteta publikisht, ose mbajnë qëndrime neutrale ndaj islamit për nevoja të realpolitikës. Atyre nuk u konvenon kur ish-presidenti amerikan Bill Klinton, ish-sekretarja e shtetit Medlin Ollbrajt, apo sekretarja e mëvonshme e shtetit Hilari Klinton deklarojnë e lavdërojnë, se virtytet e vlerat e islamit janë të mirëpritura në Amerikë, sepse pasurojnë vendin me mësimet për vetëdisiplinën , mëshirën, përkushtimin ndaj familjes, solidaritetin e respektin për të gjithë, paqën…198.
Studiuesja e njohur e islamit Karen Amstrong, e cila ka shkruar disa libra dhe artikuj për islamin, para opinionit amerikan dhe atij perendimor ka shtruar disa pyetje: "Nëse islami është aq i keq, ashtu siç paraqitet nga mediat perendimore, si është e mundur që ai të përhapet me një shpejtësi marramendëse në perendim?!".199 Ajo pastaj shtron edhe këtë pyetje: "Ku është shpata e islamit tash? "Islami është fe e paqës, por muslimanët nuk janë lënë të qetë për një kohë të gjatë nga kryqtarët e së kalauarës dhe të tashëm…islami nuk është i dhënë pas lufte, lufta nuk është njëra prej 5 shtyllave të islamit…".

Ne mendojmë se islami si i tillë nuk përbënë kërcënim për askënd, por, islami ekstrem, radikal ashtu si çdo ekstremizëm tjetër fetar kërcënon shoqëritë në shumë drejtime, madje edhe në mesin e

[193] Aleksandër Adler "Në takim me islamin" f. 75.
[194] Fred Hollidei, "Islami dhe miti i konfrontimit…", 1996, f.2.
[195] Indianapolis Star, December 4, 2002, Column by Cal Thomas.
[196] Mr. Qemajl Morina, Edukata Islame (Revistë shkencore kulturore islame, nr. 84, Prishtinë, 2007, f.5).
[197] Po aty, f.6.
[198] Abdi Baleta, *Integrimi i shqiptarëve në Evropë dhe vlerat që islami përcjellë në këtë integrim* (simpozium kombëtar) , 2008, f. 63.
[199] Rime Magazine, 17.09.2001, the true peaceful face of islam.

muslimanëve. E gjithë kjo vije si pasojë e keqinterpretimit të islamit nga grupe e rryma të ndryshme intolerante, të cilat luftën për pushtet dhe për motive tjera e mbështjellin me dogma fetare. Ndarja në sekte, në fraksione , në lëvizje me karakter lokal e nacional, e ka sfiduar nëpër kohë përmbajtjen plotësisht universale dhe paqësore të islamit hyjnor, edhe në mesin e besimtarëve musliman, e më shumë në sytë e të tjerëve.

Paqja sipas burimeve themelore të islamit

Për ta vlerësuar një fe, apo një sistem a shoqëri se sa është paqësore dhe tolerante mendojmë se kriter është që të analizohen dhe të shiqohen dispozitat dhe ligjet e asaj feje apo të atij sistemi si dhe historia e zhvillimit të asaj shoqërie. Sa më fisnike dhe bujare të jenë dispozitat e një feje, aqë më paqësore dhe tolerante do të jetë ajo fe dhe aq më të mëdha do të jenë predispozitat e saj për t`u bërë fe universale.
Nëse i analizojmë dhe i zbërthejmë mirë burimet kryesore të fesë islame, kur`anin dhe traditën profetike do të shohim se që të dyja këto burime me normat dhe rregullat e tyre në mënyrë reale trajtojnë çështjen e tolerancës, barazisë dhe të bashkëjetesës ndërmjet besimtarëve me përkatësi të ndryshme fetare dhe kombëtare.
Në vazhdim do të citojmë disa ajete kur`anore në të cilat theksohet qartë liria e besimit: citojmë; "Në fe nuk ka shtyerje me dhunë"200. Ndërsa në ajetin tjetër theksohet se zgjidhja përfundimtare e besimit është çështje personale: "Thuaj: e vërteta është nga Zoti juaj, prandaj kushdo le të besoj, kushdo le të mos besoj"201.
Koncepti paqësor ndaj besimeve të tjera vërehet edhe në ajetin tjetër në të cilin thuhet: "Ti këshillo, ti je vetëm këshillues. Ti ndaj tyre nuk je detyrues"202.
Kur`ani nga besimtarët e vetë jo vetëm që kërkon dialog, bashkëpunim, mirëkuptim me pjesëtarët e feve tjera, por ai shkon edhe më larg dhe nga bashkëpunimi reciprok kalon në shkallën e njohjes, që është shkalla më e lartë e tolerancës dhe garanci për të drejta të barabarta mbarë njerëzore si vlera univerzale për bashkëjetesë. Kurani si libër hyjnor i shpallur nga Krijuesi që të tri fetë, i quan fe qiellore dhe i fton për bashkëpunim me këto fjalë: "O ithtar të librit, ejani të bashkohemi (të dialogojmë) rreth gjërave të përbashkëta edhe për ju, edhe për ne: të adhurojmë vetëm një Zot e mos t`i bëjmë asnjë shok Atij dhe mos ta marrim njëri-tjetrin për Zot, në vend të Perendisë"203.
Nëse fetë qjellore dhe besimin e vërtetë në krijuesin e gjithsisë e trajtojmë në këtë dritë dhe e shiqojmë në këtë prizmë, atëherë edhe pikat e përbashkëta ndërmjet hebreizmit, krishterimit dhe islamit do të ishin më të mëdha. Në këtë rast do të nxirrej përfundimi se keqkuptimet dhe konfliktet kanë ardhur nga interpretimet e shtrembëruara, nga devijimet që u janë bërë shpalljeve e jo nga shpalljet burimore dhe nga pejgamberët e pasuesit e tyre.
Në lidhje me lirin e besmit dhe respektin e ndërrsjellë dhe të drejtat e njeriut në traditën profetike, profeti Muhamed a.s., si interpretues ligjitim i kuranit, më së miri i sqaroi parimet dhe idealet e larta kuranore, që kanë të bëjnë me këtë fenomen. Ai me shembullin e vet i bëri traditë praktike këto parime, dhe u bë model edhe për brezat e ardhshëm. Ai kishte theksuar: "Drejtësia mbanë qiellin dhe tokën".
Muhamedi a.s. me ligje u kishte garantuar mbrojtjen dhe sigurinë e pjestarëve të feve qiellore në shtetin islam. Kështu në hadithin e Pejgamberit a.s. thuhet: "Ai që mundon një hebre ose një të krishter, në Ditën e Gjykimit mua do të më gjejë si paditës i tij".
Kjo frymë e paqës dhe e tolerancës do të vazhdoj gjatë gjithë historisë së zhvillimit të kulturës dhe civilizimit islam. Islami gjatë historisë së tij asnjëherë nuk ka pasur në gjirin e vet grupe inkuizicioni dhe asnjëherë nuk ka pasur për qëllim ndërrimin me forcë të fesë së ndonjë populli.
Edhe shoqëria jonë, nacionalitetet tona pavarsisht bindjeve fetare dhe nacionale duhet të kuptojnë njëherë e përgjithmonë se realiteti dhe fati, jo vetëm i yni, por i gjithë botës, është larmi bindjesh e besimesh. Ky është vullneti i krijuesit të gjithësisë dhe kush mund të merrte guximin të ngritej kundër vullnetit të Tij.

[200] Kur`an: (El Bekare, 256).
[201] Kur`an: (El-Kehf, 29).
[202] Kur`an: (El-Gashje, 22-23).
[203] Kur`an: (Ali Imran, 64).

Sa i përket luftës në islam, Kur'ani ka përmendur se lufta është një veprim i urrejtur për besimtarët, ata nuk e duan atë dhe nuk pajtohen me të, mirëpo në raste të caktuara ata e pranojnë atë ngase është caktim i Zotit në rast se nuk ka rrugdalje tjetër, kur shterren gjitha mundësitë tjera, atëher lufta mbetet opsioni i pashmangshëm, gjithsesi mjet i fundit.

Legjislacioni islam e ka lejuar luftën si nevojë njerzore, e cila mund të adresohet kundër renegatëve, zullumqarëve, plaqkitësve, apo edhe ndonjë grupi tjetër, e cila në disa raste njihet me emrin luftë në rrugën e Allahut, e në disa tjera si luftë për qëllime të mira e për dobi të përgjithshme.
Kur themi se islami e ka miratuar apo lejuar luftën, qëllimi është se ajo është lejuar si një domosdoshmëri që është në interes të përgjithshëm, për ta larguar armikun e jashtëm, për t'i dhënë të drejtën atij që është gjunjëzuar nga e drejta e tij, e nuk është lejuar për motive agresive, apo për lakmi ekspansioni, mirëpo është legjitimuar për qëllime bujare e fisnike. Lufta është bërë legjitime për ndihmë ndaj atij që i është bërë padrejtsi, është bërë legjitime për largimin e okupatorit, për mbrojtje të atdheut, për frymim të lirisë fetare dhe për të sjell drejtësi.

Toleranca ndërfetare në Kosovë model për të tjerët

Sociologët e fesë theksojnë se bota sot është në shumicën e rajoneve të saj më religjioze se në të kaluarën. Thënë këtë, duhet të njohim të gjitha trajtat e këtij rigjallërimi shpirtëror që në disa raste manifestohet në forma të ngurta. Dekadën e fundit, në disa vende muslimane konfliktet e ndryshme me karakter politik kanë marrë gjithashtu edhe ngjyra sektare, ku ithtarë të bashkësive të ndryshme janë futur në spirale dhune të pandalshme. Këtu jemi dëshmitarë të dështimit të autoriteteve fetare, të cilëve situata u ka dalë nhga kontrolli në favor të grupeve margjinale që interpretojnë fenë ngushtësisht për të maksimalizuar përfitimet politike. Pasojat ë këtyre konflikteve ndërkohë kanë një impakt të gjerë në opinionin public ndërkombatar, saqë shpesh përtej një solidaritetit me karakter humanitar që zbutin pasojat e konflikteve, implikojnë dhe përfshirjen emocionale të simpatizantëve në rreshtime militante.[204]
Në rastin e shqiptarëve, mund të theksojmë se nuk ka premisa për përplasje sektare apo ndërfetare, dhe se mes besimtarëve të feve të ndryshme, grupe potenciale që mund të minojnë bashkëjetesën mes feve janë të papërfillshme në shumicën e rasteve tek shqiptarët në Kosovë apo edhe më gjerë.[205]

Këtu vlen të përmendim se, edhe pse populli shqiptar numerikisht është i vogël dhe i ndarë në tri konfesione e disa rite, historia nuk mban në mend të kenë ndodhur ndonjëherë konflikte fetare. Aq më tepër ai gjatë historisë tregoi një tolerancë dhe respekt të paparë edhe ndaj religjioneve dhe objekteve sakrale të fqinjëve të tij, duke i ruajtur ato brez pas brezi. Shqiptarët për shekuj me radhë i kanë ruajtur kishat ortodokse në Kosovë dhe familjet serbe, kur ato kishin nevojë. Mjerisht, objektet fetare islame në Serbi, si dhe popullata muslimane nuk patën të njëjtin fat. Beogradi në kohën e Perandorisë Osmane kishte afër 85 xhami, mesxhide, mejtepe e medrese, e sot ka vetëm një xhami.

Të njëjtën fatkeqësi objektet fetare islame e pësuan gjatë agresionit të fundit serb në Kosovë. Vlen të përmendim se gjatë periudhës 28 shkurt 1998 – 20 qershor 1999 nga soldateska serbe u dogjën, u granatuan dhe u shkatërruan 218 Xhami nga 560 sa i kishte Kosova, disa prej të cilave me vlera të mëdha arkitektonike.[206]

Përfundim

Edhe pse ne jemi të mendimit se konflikti serbo-shqiptar në Kosovë nuk kishte karakter fetar, pala serbe është përpjekur që simbolet fetare t'i përdorte për mobilizimin e forcave serbe, për pastrimin e territoreve ku jetojnë shqiptarët, dhe për zhdukjen e monumenteve kulturore të tyre, siç janë xhamitë, minaret, mejtepet si dhe vizatimi i katër S-ve si simbol i ortodoksizmit, bile këtë në shumë raste e

[204] Mr. Qemajl Morina, *Lufta në Siri dhe pjesëmarrja e shqiptarëve në të, "Edukata Islame"* nr. 105, Prishtinë, 2014, f.9.
[205] Po aty, f. 9 – 10.
[206] Bashkësia Islame e Kosovës, Barbaria serbe ndaj monumenteve islame në Kosovë (shkurt 98-qershor 99 Prishtinë, 2000, f.8).

bënte policia serbe në kraharorët dhe fytyrat e të rinjve shqiptarë. Kisha Ortodokse Serbe, me ardhjen e Sllobodan Millosheviqit në pushtet, u shëndrrua në skenën publike, për të ndihmuar operacionalizimin e programit nacional serb. Në këtë, kisha ka luajtur rol të madh, duke i kontribuar zgjimit të etnonacionalizimit dhe disponimit shtetmadh të shtresave të gjera, duke manipuluar me ndjenjat religjioze dhe nacionale të qytetarëve për qëllime politike. Njëkohësisht, i ka dhënë përkrahje të plotë regjimit millosheviqian, që ka pasur rol të rëndësishëm në mobilizimin e segmenteve të caktuara antikomuniste të shoqërisë.207

Me gjithë tërë ato që kanë ndodhur në Kosovë, qoftë në të kaluarën e largët apo të afërt, shqiptarët si popull shumicë në Kosovë, i janë kthyer ardhmërisë dhe ata jetësisht janë të interesuar për stabilizimin e gjendjes në të.

Duke e pasur parasysh rëndësinë që ka paqja dhe toleranca në Kosovë, si dhe rolin që mund ta kenë institucionet fetare në ndërtimin e paqes, Bashkësia Islame e Kosovës, institucionet e saja dhe imamët anë e kënd vendit në vazhdimësi janë angazhuar dhe duhet të angazhohen edhe në të ardhmen që me mësimet dhe predikimet e tyre të përçojnë mesazhet hyjnore, që thërrasin për paqe, dashuri, mirëkuptim, respektim të tjetrit e para së gjithash në falje e mirëkuptim.

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[207] Dr.Samet Dalipi, Ndërtimi i paqes në Kosovë (nga perspektiva e politikologjisë perëndimore), Prishtinë, 2014, f.40.

PHD. (C) REXHEP SUMA – TOLERANCA FETARE VLERË INTEGRUESE NË SHOQËRINË SHQIPTARE

PHD. (C) REXHEP SUMA
Kryesia e Bashkësisë Islame të Republikës së Kosovës,
Kryeredaktor i revistës Dituria Islame", Prishtinë

Abstrakti

Shndërrimi i botës në një fshat global ku shoqëritë postmoderne janë të lidhura shumë ngushtë më dhënie dhe marrje të informacionit dhe teknologjisë, reflekton zhvillime dhe ndikime në aspektin e studimeve kulturore. Ashtu siç shprehet edhe Samuel Huntington Luftërat ndërmjet klaneve, grupeve etnike, komuniteteve fetare dhe nacioneve kanë për të qenë të dukshme në çdo periudhë dhe në çdo civilizim, sepse ato janë të rrënjosura në identitetin e popujve. E veçanta e tyre është që ato nuk përfshijnë çështje të gjera, ideologjike apo politike, me interes të drejtpërdrejtë për ata që nuk marrin pjesë, apo më mirë të themi për grupet e jashtme. Ato gjithashtu kanë të ngjarë të jenë vicioze dhe të përgjakshme, meqë këtu rrezikohen çështjet themelore të identitetit. Për më tepër, ato kanë tendencë të jenë të gjata; ato mund të ndërpriten nga pakte dhe marrëveshje, të cilat kanë tendencë të thyhen përsëri, kështu që konflikti rifillon. Por në krahun tjetër, fitorja decizive ushtarake e njërës palë në një luftë civile për identitet, rrit mundësinë e një gjenocidi.
Por në shoqërinë shqiptare jo vetëm që nuk ka pasur luftë mes dy pjesëtarëve të feve (islame dhe krishtere) por ato për mrekulli kanë bashkëjetuar përgjatë shekujve në harmoni, dashuri, respekt, ndihmë e bujari. Ky element unikat në shoqëritë njerëzore ku deri më tani nuk është shënuar asnjë konflikt e lerë më luftë mes shqiptarëve çmohet dhe vlerësohet lartë si dhe kultivohet me gjelozinë më të madhe ndër shqiptarë.

Për më tepër, feja sot është një subjekt i pashmangshëm në të gjitha sferat dhe rrjedhat shoqërore, politike e gjeostrategjike. Një numër i madh problemesh akute të botës së sotme zanafillën e tyre e kanë edhe në mosmarrëveshjet fetare ose edhe në keqinterpretimin e fesë për qëllime politike, ekonomike e të ngjashme. Andaj, studimi i këtyre problemeve, edhe në aspektin fetar, mund të na ndihmojë për eliminimin e disa keqkuptimeve, të cilat kohë pas kohe shfaqen jo vetëm në rajonin ballkanik e në opinionin shqiptar, por edhe më gjerë, për shkak të mosnjohjes së rolit dhe misionit që duhet të luajnë fetë në shoqërinë njerëzore.

Fjalët Kyçe: shoqëri, tolerancë, fe, unikat, harmoni, postomoderne

Shembull i gjallë i tolerancës

Shoqëria shqiptare karakterizohet me elementin e tolerancës që e ka ruajtur përgjatë shekujve dhe vazhdon ta kultivoj si një vlerë që e dallon nga të gjithë popujt tjerë ballkanik dhe më gjerë. Kjo është arritur në saje të bashkëpunimit, respektit dhe dashurisë që ka komuniteti mysliman shumicë ndaj pakicës së krishtere (ortodokse dhe katolike).
Nuk ka dyshim se sundimi gjysmëshekullor komunist te shqiptarët dëmtoi në një masë të madhe çështjen fetare, sidomos në Shqipëri. Për këtë shkak, me fillimin e procesit të demokratizimit të saj, aty nxituan misionarë nga të gjitha anët e botës, sepse mendonin se Shqipëria ishte terren i përshtatshëm për përhapjen e propagandës fetare, sepse aty shqiptarët e në mënyrë të veçantë rinia, kishin humbur identitetin fetar gjatë periudhës së diktaturës së regjimit komunist, i cili bënte shpërnguljen e trurit nga besimet fetare, duke edukuar popullin në frymën ateiste. (Morina, 2003:22-23).
Toleranca u bë pjesë e shoqërisë shqiptare dhe si prodhim kemi zhvillim funksionim të shtetit si dhe përparimit si komb. Toleranca fetare nënkupton mënjanonim e shtypjes dhe diskriminimit ndaj personave, besimi fetar i të cilëve është i ndryshëm nga i juaji, do të thotë të respektosh të drejtën e të

tjerëve për të pasur një besim fetar ndryshe. Në aspektin politik, toleranca fetare përfaqëson politikën publike që përfaqëson dhe garanton lirinë dhe barazimin e besimit në raport me shtetin. (Shala, 2006).

Popullsia shqiptare e Kosovës, e cila është pothuajse e tëra myslimane ka dëshmuar një vlerë të identitetit kombëtarë, duke mos e zhdukur apo asimiluar nga represioni serb. Me kulturën e tyre prej muslimanësh të devotshëm i dhanë kombit tonë një dimension të ri evropian për mënyrën se si do të marrin pavarësinë.(Marku, 2008:89).
Populli shqiptar i ofron popujve evropian shumë vlera dhe urtësi e një ndër to është edhe toleranca, mirëkuptimi, harmonia e respekti i ndërsjellë ndërfetar, i cili është krucial dhe prodhon një stabilitet, humanizëm dhe dashuri për njëri-tjetrin. Këtë tolerancë e treguan edhe me të tjerët sic është rasti me strehimin e hebrenjve në Shqipëri në familjet myslimane gjatë Luftës së Dytë Botërore.
Islamizimi i shqiptarëve ka qenë një pritë kundër presionit sllav, ashtu sikurs më parë pranimi i katolicizmit kishte qenë mbështetje kundër greqizmit të favorizuar nga ortodoksia bizantine.(Roca,1994:23).

Hulumtues e udhëpërshkrues të shumtë evropianë si (E. Durham, G.L. Jarray etj.) kanë hetuar bashkekzistimin, relativisht paqësorë, nëpër kohëra, midis dy feve te shqiptarët (krishterizmi dhe Islamit. Mungesa e luftërave fetare është shënuar sa nga historianët evropianë aq edhe nga ideologët e nacionalizmit shqiptar. Derisa këta të fundit e paraqesin një imazh idilik të raportit të këtyre feve, të parët kanë konstatuar, megjithatë, në disa momente të së kaluarës, tensione brenda-fetare dhe trajta të diskriminimit fetar.

Teoria e qarqeve kulturore shqiptare

Në veri të Shqipërisë dhe në Kosovë, një bashkësi katolike jeton bashkë me bashkësinë myslimane. Gjuhëtari i madh shqiptar, Eqrem Çabej kishte zhvilluar teorinë e qarqeve kulturore shqiptare, në bazë të kritereve fetare: veriu katolik, qendra myslimane dhe jugu ortodoks. Veç kësaj, personaliteti i cili e shpalli pavarësinë kombëtare të shtetit shqiptar, më 1912 në Vlorë, Ismail Qemajli, propozon kantonizimin e Shqipërisë sipas të njëjtit model. Në vitet ’30 Gjergj Fishta propozon të njëjtin model. Sociologu kosovar, Gani Bobi, në veprën e tij Paradoksi kulturor (1987), vë në pah se ky klasifikim është i ngurtë, sepse shqiptarët myslimanë e katolik të veriut kanë shumë tipare të përbashkëta kulturore, që dallojnë nga tiparet e shqiptarëve myslimanë e ortodoks të jugut. Skema e dytë e analizës së identitetit kulturor të shqiptarëve është adekuate ngase merr parasysh faktorë të ndryshëm e jo vetëm atë fetar.(Kullashi, 2003:121).

Toleranca ndërfetare ndër shqiptarët çmohet edhe nga personalitetet me ndikim planetar siç është rasti i Papa Françesku kur vizitoi Shqipërinë në 21 shtator 2014 për të lëvduar bashkekzistencën midis komuniteteve fetare të vendit. "Mbani me kujdes dhe vëmendje bashkëjetesën paqësore midis anëtarëve të feve të ndryshme. Kjo është një pasuri e paçmueshme për vendin, që merr mjaft rëndësi në kohën e tashme," tha Papa Françesku në Tiranë, ku mijëra njerëz u mblodhën ta përshëndesin atë.

Por është vlerësuar dhe çmuar edhe nga poetët e shkrimtarët tanë. Në mjedisin tonë ende gjënë frymë thënia dhe porosia e Çajupit:
Ngrihuni trima të tërë
muslimanë e të krishterë
të luftoni për lirinë
të shpëtoni Shqipërinë (Çajupi,1983:1).

Shembujt e tolerancës

Fetë në mjedisin shqiptarë kanë bashkëjetuar në harmoni të plotë andaj nuk është tolerante atëherë nuk mund të flitet për raporte normale mes besimeve dhe bashkëjetesë mes tyre.

Kohët e fundit, komuniteti mysliman i komunës së Malbardhës ofroi asistencë financiare për rindërtimin e kishës katolike 600 vjeçare të Shën Mëhillit. Ceremonia e hapjes së kishës solli së bashku për të festuar banorët nga të gjitha fetë.

"Prej gjithë akuzave, paragjykimeve dhe gabimeve, me të cilat kërkojnë të rëndojnë supet tona, kjo është më e pa drejta dhe më e pa baza. Megjithëqë elementi mysliman ka shumicën në Shqipëri, nuk besoj të ketë një shtet të qytetëruar, ku të mbretërojë aq, gjer në indiferentizëm, tolerancë feje, sa në Shqipëri. Prova e faktit, për të cilën me të drejtë krenohen të gjithë shqiptarët, është, që në krye të Qeverisë së sotme jam unë, një peshkop ortodoks, dukuri e panjohur edhe për shtete ortodokse. Personalisht jam e lirë në ushtrimin e fesë. Jam rritur në një familje me të krishterë e myslimanë me mbiemrin që u bëri ballë shekujve, Gjoni. Xhaxhai im jeton me ortodoksen e mirë Aspasi për 60 vjet rresht, në një harmoni të shkëlqyer, kurrë s'i kemi pasur këto ndasi me njeri –tjetrin. Janë dhjetëra e dhjetëra figura të shquara që janë martuar me besime të ndryshme. A nuk ishte Ali Pashë Tepelena që u martua me ortodoksen Vasiliqi dhe që e respektoi aq shumë duke i ndërtuar dhe kishën në respekt të saj? Po Mbreti Ahmet Zogu që u martua me katoliken e butë dhe të bukur Geraldina dhe që populli shqiptar i deshi dhe i çmoi aq shume virtytet e saj? thoshte Noli

Ky element i forcës së qenies sonë kombëtare lartësohet edhe nga udhëheqësit tanë shpirtërorë". Kështu myftiu i Republikës së Kosovës Naim ef. Tërnava në një fjalim të mbajtur më 2008 në Shba tha se Për të ekzistuar paqja, harmonia e toleranca ndërmjet popujve dhe për dialog të suksesshëm, nevojitet respekt i ndërsjellë ndërmjet besimeve, duhet mirëkuptim dhe bashkëpunim i vazhdueshëm, sinqeritet e jo dyfytyrësi gjatë dialogut, duhen ndërmarrë aktivitete të përbashkëta, si në fushën e hulumtimeve të përbashkëta shkencore, duke mbrojtur të drejtat e çdonjërit, në bashkëpunim të përhershëm edhe në luftimin e krimit të organizuar, i çfarëdo natyre qoftë, me aksione të përbashkëta në luftë kundër terrorizmit, drogës e shumë sëmundjeve të tjera, që janë rrezik për shoqërinë njerëzore.

Dialogu me të tjerët ndihmon edhe në pakësimin e varfërisë, arsimimin e atyre që nuk kanë mundësi të arsimohen e në shumë probleme të tjera.

Ne, krerët fetarë, duhet të jemi më të zëshëm, të ngremë zërin tonë te qendra të shumta ndërkombëtare të vendosjes, nëpërmjet deklaratave të përbashkëta, tek qeveritë tona, në raport me të këqijat që po përjeton krijesa më e çmuar e Zotit - njeriu.

Është e dhimbshme kur shohim se si shumë fëmijë brenda ditës vdesin nga uria, sa kohë që sa e sa mjete harxhohen në armatim vetëm brenda një dite.

E, pra, më pakë armatim, më pak luftëra, më pakë urrejtje e më shumë dashuri, më shumë tolerancë, dhe më pakë gjakderdhje e krime, më shumë respekt e aspak hakmarrje. Vëllazëri e fqinjësi - dhe jo gjakderdhje e armiqësi.

Planeti ynë është lodhur nga luftëra të shumta, prandaj duhet t'i kthehemi arsyes e të jetojmë në paqe. Një frymë e thellë bashkëpunimi ekziston midis institucioneve fetare në Shqipëri, gjë që kontribuon në ruajtjen dhe zhvillimin e marrëdhënieve vëllazërore," sqaron Genti Kruja, drejtor i kulturës në Komunitetin Mysliman të Shqipërisë.

Shumica myslimane respekton pakicën krishtere

Dr. Zyhdi Dervishi, përgjegjës i Departamentit të Sociologjisë në Universitetin e Tiranës. Sipas tij, evidentohet shpesh fakti që në raste festash fetare ka shkëmbime urimi nga besime të ndryshme.
Historia e ka të qartë procesin: Kështu ndodh aktualisht me besimin mysliman, që është në shumicë dhe respekton besimet në pakicë. Pra, në thelb jam duke thënë se ky raport mes shumicës dhe minorancës është kyçi në tolerancën ndërfetare në Shqipëri, tolerancë që është me rrënjë të thella."
Çështja është dhe më e thellë në përmbajtjen e këtij fenomeni, thotë prof. dr Dervishi. "Është një traditë e konsoliduar ndër shekuj që besimtarët myslimanë shkojnë tek vendet e shenjta të krishtera,

ose e kundërta, me shpresën për të gjetur shërim për veten e tyre, mbarësi për fëmijët a të afërmit. Natyrshëm lind pyetja, se a mund ta urresh një institucion fetar të një feje tjetër kur mendon se tek ky institucion, tek ky vend i shenjtë do të gjesh mbarësi? Kjo do të thotë se ke respekt, ke adhurim të veçantë për një vend të shenjtë të një feje tjetër. Gjithashtu është një traditë ndoshta unike tipike shqiptare fakti që vite më parë, por dhe aktualisht, kur një çifti nuk i jetojnë fëmijët, atëherë fëmijët që ju lindin më pas ju vënë një emër të besimit tjetër nga janë vetë. Për shembull të krishterët i venë emër mysliman, apo myslimanët i venë fëmijës një emër të besimit të krishterë". (Muka, 2012).
Edhe paraqitja e liderëve fetar së bashku në publik e ka jehonën e vet dhe ndikon pozitivisht në mendjen e secilit komunitet. Rasti më i mirë është në "Marshimin e Unitetit" në Paris të Francës, në nder të viktimave që humbën jetën nga sulmi terrorist ndaj redaksisë të revistës satirike "Charlie Hebdo" e dy sulmeve të tjera terroriste që e pasuan. Pjesë e këtij marshimi ishte dhe delegacioni shqiptar i kryesuar nga kryeministri Edi Rama, si edhe 4 përfaqësuesit e komuniteteve fetare në Shqipëri. Harmonia jonë fetare e përcjellë nëpërmjet krerëve të komunitetit mysliman, katolik, ortodoks dhe bektashi është duartrokitur nga të pranishmit në "Marshimin e Unitetit" meqërast kryeministri Rama kryesoi delegacionin shqiptar që mori pjesë në Marshimin e Unitetit në Paris të Francës në nder të viktimave pas sulmeve terroriste. Gjatë qëndrimit në Paris ai ka dhënë një intervistë për "France 24" ku pohoi se islami është pjesë e Evropës demokratike dhe se tërheqja pas kësaj, nga projekti i madh evropian do ishte vetëvrasje për unionin. "Këtu, Islami është pjesë e jetës, dhe kur them këtu them në Evropën demokratike, në Evropën e lirisë, barazisë dhe vëllazërisë. Pra me kë do ta bëjmë luftën? Kundër kujt, kundër vetes? Nëse shkojmë në këtë drejtim, do të bëjmë ekzaktësisht atë që terroristët duam që në të bëjmë. Në këto kushte natyrisht që duhet shumë më shumë koordinim në terma të sigurisë, në terma këshillimi dhe informacioni edhe gjithë komponentëve të tjerë. Por duhet një Evropë më e fortë, duhet më shumë Evropë, jo më pak Evropë".

Sami Frashri, shkruan : " Ndarjet në besim nuk sollën çarje në mes të shqiptarëve. Gjendjet e besimit, jo vetëm në vendet e lindjes, por edhe në Evropë, e në vendet e ndriçuara me qytetërim, shumë herë kanë nxjerr vrasje të mëdha e të tmerruara; Në Shqipëri, këto grindje nuk ndihen dhe kurrë në këtë vend s`kanë ngjarë.
Ndërkaq Tomas W. Arnold vë theksin se "Myslimanët shqiptar, sikur edhe të krishterët flasin me një gjuhë, kanë traditat dhe moralin e njëjtë, nuk kanë far urrejtje, sepse me gjenerata nuk kanë pasur armiqësi. Faktori fetar nuk ka qenë shkak për përçarje ".
Faik Konica në letrat e tij për tolerancën fetare ndërshqiptare thoshte se "Unë besojë se shqiptarët gjithkund janë tolerantë për besimet e tjera dhe ndoshta ky është i vetmi vend në Evropë ku nuk ka pasur luftëra fetare".
Biçoku shprehet se Islami dhe katolicizmi u bënë dy barriera shumë të fuqishme për të ruajtur individualitetin dhe vetëdijën kombëtare të shqiptarëve, që kombi ynë të mos pësonte fatin e vllehve, të cilët janë asimiluar prej fundamentalizmit ortodoks ballkanik.(Biçoku, 1999:71).

Shteti laik populli besimtar

Shteti i Kosovës përkufizohet nga Kushtetuta e saj si shtet laik, i cili promovon kulturën e laicizmit në nivele të ndryshme. Shumica e shqiptarëve të Kosovës janë mysliman, por ka edhe pakica katolike e ortodokse lindore. Në regjistrimin e fundit të popullsisë më 2011, përgjigjja në pyetjen për fenë nuk ka qenë e obligueshme. Megjithatë, shumica në Kosovë u deklaruan si myslimanë (96%), pasuar nga katolikë 2.21%, ortodoks 1.49%; të tjerë 0.07%, pa fe 0.07% dhe 0.06% të cilët kanë parapëlqyer të mos përgjigjen.
Sipas porosisë profetike dhe mësimeve të Kur'anit, muslimanët duhet të besojnë në misionin e profetëve që i kanë prirë Muhamedit a.s. dhe në librat e shenjtë që u janë shpallur të dërguarve para Muhamedit a.s., siç argumenton edhe ky ajet

Ju (besimtarë) thuani: "Ne i besuam Allahut, atë që na u shpall neve, atë që iu shpall Ibrahimit, Ismailit, Is'hakut, Jakubit dhe pasardhësve (të Jakubit që ishin të ndarë në dymbedhjetë kabile), atë që i është dhënë Musait, Isait dhe atë që iu është dhënë nga Zoti i tyre pejgamberëve, ne nuk bëjmë dallim në asnjërin prej tyre dhe ne vetëm atij i jemi bindur. (El Bekare,136).

I dërguari i besoi asaj që iu shpall prej Zotit të Tij, si dhe besimtarët. Secili i besoi All-llahut dhe melekëve të Tij dhe të dërguarve të Tij. "Ne nuk bëjmë dallim në asnjërin nga të dërguarit e Tij", dhe thanë: "Dëgjuam dhe respektuam. Kërkojmë faljen tënde o Zoti ynë, te Ti është ardhmëria (jonë)." (El Bekare,285).

Për Isain (Jezusin) në Kur'an është thënë: Ne vazhduam gjurmët e tyre (të pejgamberëve) me Isain, birin e Merjemes, vërtetues i Tevratit që kishin më parë. Atij i dhamë Inxhilin, që është udhëzim i drejtë dhe dritë, që është vërtetues i Tevratit që kishin pranë, që ishte udhëzues e këshillues për të devotshmit. (E zbritëm) Që ithtarët e Inxhilit të gjykojnë sipas asaj që All-llahu e zbriti në të. E kush nuk gjykon sipas asaj që All-llahu e zbriti, të tillët janë mëkatarë të dalë jashtë rrugës së Zotit. (El Maide,46-47).

Shqiptarët mysliman nuk luftojnë kundër asnjërës prej ketyre dy feve (krishtere dhe hebreje) sepse ata janë tolerantë.

Sikurse ata poashtu nisen nga mësimet fetare, I Cili nga ana e tij urdhëroi muslimanët për tolerancë dhe ka urdhëruar që t'i mbrojnë idhujtarët në qoftëse se vijn tek Ai. Kjo mbrojtje athua nuk ngritet në shkallën më të lartë të tolerancës? Ta dëgjojmë këtë ajet: "E nëse ndokush prejidhujtarëve të kërkon strehim, ti strehoje në mënyrë që t'i dëgjojë fjalët e Allahut (Kur'anin (e mandej shoqëroje deri në vend të sigurt të ti j(Et-Tevbe,6).

Por edhe Profeti a.s., porosit myslimanët për tolerancë me këto fjalë:
"Ai që shtyp një person, me të cilin është lidhur me një zotim, ose i cenon të drejtat e tij, ose ia imponon një detyre mbi mundsinë e tij, ose ia merr me detyrim një gjë, mua do të më ketë kundërshtuar në Ditën e Gjykimit"(Muhamed El Hufi,17).

Përkundrejt grupeve të tjera fqinje që i ngjeshnin në mënyrë kërcënuese, procesi i konvertimit u dha shqiptarëve mundësinë të mbështeteshin mbi njëjtësinë e tyre të re fetare, krejtësisht refraktare ndaj kulturave sllave dhe greke. Megjithatë, duhet të pranohet gjithashtu se tashmë ai që ndihmoi në ruajtjen e njëjtësisë etnike shqiptare kundër asimilimeve të huaja ishte islamizmi. (Doja, 2001:14).
Shqiptarët me vetëdije të lartë nuk lejuan që në trupin e tyre të zgjatet dora përçarëse e fqinjëve që ushqyen ndjenja armiqësore dhe shpeshëher edhe "dizajnuan" tokat tona. Nuk lejuan që të humbet as gjënë më të vogël të karakterit nacional dhe sot ofron shembullin e gjallë të tolerancës, mirëkuptimit dhe të harmonisë fetare. Shqiptarët e dy anëve të kufirit, i cili duhet të pasojë fatin e Berlinit, edhe nëpërmjet të elementit fetar dëshirojnë t'u thonë popujve të Evropës, se "ne nuk jemi të huaj, se ne kemi lidhje me njëri tjetrin, se ne jemi shumë tët afërt me njëri-tjetrin, se ne jemi miq dhe qytetarë të Evropës" (Krasniqi, K.1996:8).

Se toleranca dhe harmonia e plotë mes dy feve tek shqiptarët ka qenë për çdo lëvdatë është fakti se ka familje në Kosovë ku nën një çati jetojnë dy vëllezër, njëri i besimit mysliman kurse tjetri i besimit krishterë dhe ndajnë të mirën dhe të keqen bashkërisht. Ku familjet p.sh vetëm për muaj të ramazanit rrinë së bashku për t'i përgatitur syfyrin deri në orët e hershme të agimit.
Poashtu edhe në sferën e besimit pjesëtarët mysliman me fanatizëm kanë mbrojtur kishat katolike e ortodokse duke i konsideruar si vlerë dhe pasuri kombëtare e popullit shqiptarë që e ka kultivuar këtë tolerancë shekuj me radhë.
Myslimanët shumicë aspak nuk kanë paragjykime ndaj krishterëve dhe me këtë tregojnë dhe domestrojnë një civilizim të përkryer dhe të lashtë qoftë ballkanike apo evropiane.

Media dhe vlerat shoqërore

Në kushtet dhe rrethanat e demokracisë së tanishme liberale, që Ballkani Perëndimor asnjëherë në historinë e vetë nuk i ka shijuar, identitetet kolektive në numër më të madh, duhet patjetër ta zvogëlojnë karakterin e vetë autoritarë (ngaqë, ai nuk konsiderohet si burim i lirive dhe i drejtave) dhe se përmes koncepteve neoliberale ai duhet të na sigurojë të drejtat e barabarta. Raportet e reja

shoqërore, sipas këtij principi janë të mundshme vetëm përmes sistemit politik – pra decentralizimit, rajonizimit dhe subrajonizimit.
Sot, në botë janë duke ndodhur procese të atilla,, që sugjerojnë se në të ardhmen procesi i stabilitetit do të jetë shumë i diskutueshëm poqëse nuk ushtrohet procesi i decentralizimit.
Është sugjeruar shpesh se mediat kanë efekte potencialisht të thellë në formimin e identitetit social të të rinjve.

Rrjetet sociale në përgjithësi konsiderohen si një "zgjatje e jetës së përditshme dhe një mjet i ndryshimit kulturor. Kështu, formimi identitetit, si një koncept shoqëror, është duke u transformuar në mënyra të reja dhe madje edhe me përmasa globale.
Mediat në kohën e globalizmit pak hapësirë japin apo tregojnë respekt për traditën. E gjithë ideja e traditave fjala për të duket mjaft e çuditshme. Nga ata shpeshëher lind pyetja se pse do të duam të bëjmë të njëjtën gjë si gjeneratat e mëparshme? Çfarë është kaq e madhe në lidhje me të kaluarën? Mediet e popullarizuara nxisin dëshirën për të krijuar mënyra të reja të jetës - brenda kontekstit të sistemit kapitalist.
Edhe pse çështja e identiteteve dhe trajtimi i tyre në mënyrë të duhur në media në shkallë globale mbetet një dëshirë që ekziston ndër popuj që do të duhej të kishin ndikim dhe peshë të respektimin dhe njohjen e identiteteve periferike.

Toleranca dhe zhvillimet shoqërore

Nocioni globalizëm tashmë ka përfshirë çdo fushë të jetës, dijës dhe zhvillimeve të ndryshme. Epoka në të cilën jetojmë njihet si epoka e globalizmit. Ky nocion fillimisht u përdor si një përshkrim neutral i një procesi të qenësishëm në ndikimet botërore të revolucionit teknologjik. Një përkufizim ndihmës u dha në vitin 2000 nga profesori Çarls Doran, i cili e shpjegoi fenomenin si "ndërveprim i teknologjisë informative dhe i ekonomisë globale. Ai dallohet në sensin e intensitetit, fushës, volumit dhe vlerës së transaksioneve ndërkombëtare në sferat informative, financiare, tregtare dhe administrative anekënd botës. Një rritje e theksuar në përqindjen e këtyre transaksioneve në dekadën e fundit, rrjedhimisht edhe në nivelin e tyre, është manifestimi më i matshëm i procesit të globalizimit". (Doran, 2000:6).

Meqë çlirimi i Kosovës koinçidoi me kohën kur ndodhi eksplodimi i ndikimit të internetit dhe hedonizmit e konsumerizmit të pafre, një pjesë e rinisë u dorëzua para kësaj lodre të re dhe para pasioneve doniste. Shpejt u hoq dorë nga vlerat e traditës shqiptare, nga kujtimet historike, nga artet dhe nga kultura kombëtare, në emër të kozmopolitizmit e të kulturës së huaj dhe sot kemi të bëjmë me breza të tërë të tjetërsuar kultuarlisht dhe të zvetënuar moralisht. Përhapja e tmerrshme e përdorimit të drogave, në radhët e rinisë së kësaj kategorie, është treguesi më autentik i këtij ndryshimi moral e kulturor. (Krasniqi, 2015:8).

KONKLUZIONE

1.Multifetarizmi dhe tolerance është një proces i përfunduar historik, dhe si rezultat shqiptarët evropianë nuk kanë frikë se mund të ndodh ndonjë fërkim apo thyerje të reja.

2.Identiteti fetar tek shqiptarët është vlerë tradicionale, qytetruese, civilizuese, kulturore por edhe kombëtare ndër shqiptarët që duhet kultivuar e avancuaar në mesin e popullatës.

3.Toleranca ndër shqiptarë mbetet element për studim dhe modelim edhe për kombet tjera evropiane dhe më gjerë.

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ARDITA BYLO, MF - FAKTORËT KRYESORË, QË NDIKOJNË NË KËRKESËN PËR KREDI HIPOTEKORE

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Abstrakti

Për shumë prej nesh, blerja e një shtëpie është një nga vendimet më të rëndësishme si dhe ndonjëherë transaksioni më i madh financiar që mund të bëhet në jetë. Të qartësosh pyetjet përpara se të zgjedhësh një kredi do të thotë të bësh krahasimin mes marrjes së një kredie që mund ta përballosh dhe humbjen e të drejtës mbi pronën. Zhvillimi dhe zgjerimi i tregut bankar gjatë viteve të fundit, me krijimin e produkteve dhe programeve të reja, e ka bërë të rëndësishëm kuptimin e kushteve të ofruara për të bërë një zgjedhje racionale. Nëse mendojmë të marrim një kredi hipotekore, duhet të konsiderojmë të gjitha mundësitë . Eshtë e rëndësishme që të edukohemi pasi "dija" është "aftësi". Duke siguruar informacionin e nevojshëm mbi kredinë hipotekore, jemi të aftë për të zgjedhur kushtet më optimale dhe shmangur shpenzimet e tepërta, na jep një bazë teorike dhe praktike njëkohësisht, që do t'na ndihmojë të mësojmë qëllimet e kredive hipotekore avantazhet dhe disavantazhet e marrjes së një kredie të tillë .
Në këtë punim gjithashtu është trajtuar edhe ecuria e kredive hipotekore në shqipëri dhe krahasimi me vendet e tjera të europës . Poashtu edhe ndikimi që kanë këto kredi në çmimin e banesave në treg dhe tregtimi i tyre nga bankat në trajtën e obligacioneve që mbështetën në huatë hipotekore.

Fjalët Kyçe: Kredi Hipotekore, Kërkesa, Kredi, Pasuri të Paluajtshme, Sistemi Bankar, Letra me Vlerë, Obligacione, Treg Dytësor

Avantazhet dhe disavantazhet e kredive hipotekore

Avantazhet kryesore të kredisë hipotekore janë si më poshtë:

Me marrjen e një kredie hipotekore, huamarrësi vë në zbatim një nga parimet bazë të blerjes së pasurive të paluajtshme. Kjo eleminon nevojën e përdorimit të parave (cash) ose rezervave (depozitave), të cilat janë aq të vlefshme në raste urgjence, apo për mundësi të tjera investimi. Po aq i rëndësishëm mbetet fakti, që ju mund të mos i zotëroni këto para për ekzekutimin e këtij transaksioni.
Me blerjen e pasurisë tuaj ju nuk do të shpërdoroni më paratë në shpenzime qeraje. Gjithashtu, ju mund ta përdorni pasurinë e paluajtshme si kolateral për një kredi të dytë në të ardhmen.
Kredia hipotekore mund të shërbejë për realizimin e qëllimeve të ndryshme si: ndërtimin e një shtëpie verore, rinovimin e shtëpisë suaj etj.
Pasuria e paluajtshme mund të përdoret si një residencë e dytë ose mund ta jepni me qera, të ardhura këto me të cilat mund të shlyeni këstet mujore të kredisë.

Megjithatë, marrja e një kredie hipotekore ka edhe disavantazhe:

Ekziston risku i mospagimit në kohë, si pasojë e papunësisë, sëmundjeve, apo ndonjë ngjarjeje të paparashikueshme e cila nuk mbulohet nga policat e sigurimeve.
Mund të përballeni me uljen e vlerës së shtëpisë tuaj; si pasojë, çmimi i shtëpisë tuaj mund të rezultojë më i vogël sesa borxhi ndaj huadhënësit.
Norma e interesit mund të luhatet përderisa kreditë jepen edhe me norma të ndryshueshme interesi. Nëse interesi rritet, kësti mujor i kredisë do të rritet.

Per stimulimin e veprimeve te huave hipotekore ne mjaft shtete ekzistojne nje seri organizmash shteterore qe ndihmojne te dy palet huamarresit dhe huadhenesit. Ne SHBA veprojne organizmat e meposhtme:

- ❑ Banka Federale e Huave te Banesave
- ❑ Administrata Federale e Strehimit
- ❑ Bankat Federale te Tokes
- ❑ Shoqata Federale Nacionale e Huave Hipotekore
- ❑ Administrata e Veteranve

Në shumë studime janë vlerësuar faktorët kryesorë, të cilët ndikojnë në kërkesën për shtëpinë dhe në çmimet e tyre. Këto studime vlerësojnë se nga ana e kërkesës, dinamika e çmimeve të shtëpive përcaktohet në periudhën afatgjatë kryesisht; nga rritja e të ardhurave të disponueshme të individëve; zhvendosja graduale demografike; karakteristikat e sistemit të taksave në ekonomi; kredia bankare; si edhe niveli mesatar i normave të interesit. Nga ana e ofertës, si tregues që përcaktojnë në periudhën afatgjatë dinamikën e çmimeve të banesave, përmenden: disponueshmëria dhe kosto e truallit; kostoja e ndërtimit; investimet në përmirësimin e cilësisë së stokut ekzistues të shtëpive; etj.

Kredia hipotekore dhe ndikimi i saj në çmimin e banesave

Një nga faktorët e kërkesës, të cilit i është kushtuar një vëmendje e veçantë në literaturë, është ndikimi i kredisë, sidomos asaj hipotekore, në çmimin e banesave. Analiza e kësaj lidhje, ka marrë rëndësi të veçantë për vetë implikimet që ka në dy sektorët e rëndësishëm të ekonomisë (në sektorin e ndërtimit dhe atë bankar), si dhe pasojat direkte apo indirekte që këta sektorë përcjellin për gjithë ekonominë dhe stabilitetin financiar në vend.

Kindlerberger (1978) dhe Minsky (1982) në studimet e tyre, kanë theksuar rolin që luan kredia në ecurinë e çmimeve të banesave. Lehtësimi i procedurave për marrjen e një kredie, krahas faktorëve të tjerë, do të rrisë kërkesën për banesa. Duke marrë parasysh që për periudhën afatshkurtër oferta për shtëpi është e pandryshueshme, rritja e kërkesës do të rezultonte në një rritje të çmimeve.
Kredia hipotekore ndikon në çmimet e banesave nëpërmjet të ashtuquajturit mekanizmi i nxitësit financiar. Kështu, nëpërmjet kredisë së dhënë nga bankat nxitet kërkesa për blerjen e banesave. Në përgjigje të kërkesës së shtuar çmimet e banesave do të rriten, dhe ndërkohë kolaterali i lënë peng për marrjen e kredisë do të shtohet, duke mundësuar marrjen e një kredie shtesë për banesa dhe duke nxitur kështu më tej kërkesën për kredi dhe përshpejtuar procesin.

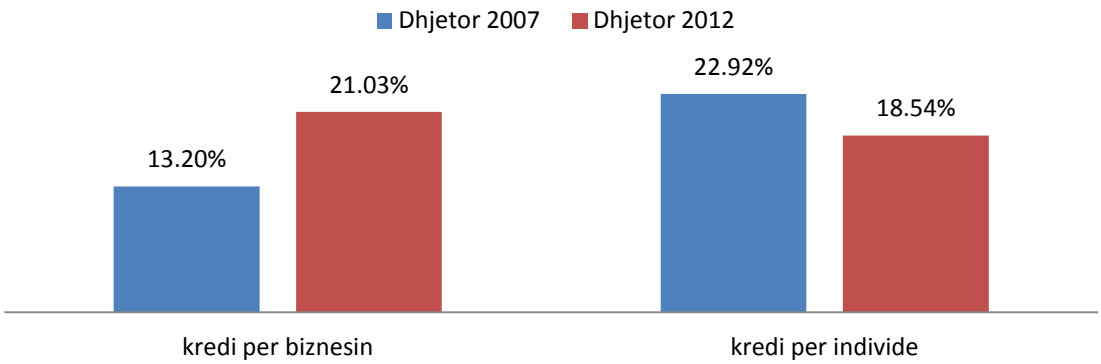
Ecuria e kredisë për banesa ndër vite në Shqipëri dhe krahasimi me vendet e Euroznës

Tregu i banesave dhe ai i kredisë në Shqipëri kanë përjetuar ndryshime të ndjeshme. Zhvillimet në këto dy tregje mund të ndahen në dy periudha të dallueshme nga njëra tjetra. Gjatë periudhës së parë 2000-2007 vihet re një zhvillim i shpejtë, si në tregun e banesave ashtu edhe në atë të kredisë hipotekore.
Ndërkohë, gjatë periudhës 2008-2010 vihet re një ngadalësim i dukshëm i ritmit të rritjes së këtyre tregjeve e ndikuar nga ecuria e ngadaltë e aktivitetit ekonomik në vend, e cila ka reflektuar edhe efektet që përcolli kriza financiare globale në ekonominë shqiptare.

☞ Gjatë periudhës 2004-2007, kredia për pasuri të paluajtshme ka njohur rritje në nivele të larta, duke u rritur mesatarisht me një normë vjetore prej 65%.
☞ Ecuria pozitive në vitet 2004-2007 është mbështetur nga vet zhvillimet e sistemit bankar dhe zhvillimi ekonomik në vend.

Për shumë banka, kredia për banesa ndihmon në diversifikimin e portofolit të kredive, në ruajtjen e cilësisë së huadhënies e cila shoqërohet me një kosto me të vogël për kapitalin e tyre

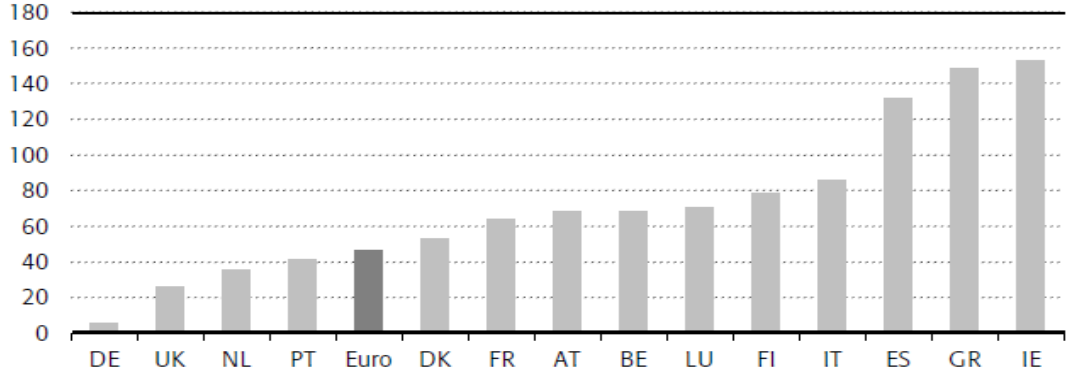
Grafiku 1. Krahasimi i kredise per pasuri te paluajtshme ndaj totalit te kredise 2007-2012



Burimi: Shoqata Shqiptare e Bankave, Buletine mujore Dhjetor 2007- 2012

Ndërsa po të shohim grafikun e kredisë hipotekore në disa nga vendet e evropës shihet se që ka të njëjtën tendencë si në shqipëri deri në vitin 2006- 2007 është vërejtur një rritje e ndjeshme në të gjitha vendet por rritja më e madhe është verejtur në greqi.

Grafiku 2. Rritja e Kredive Hipotekore, 2003-2006, (%)



Burimi: ECB

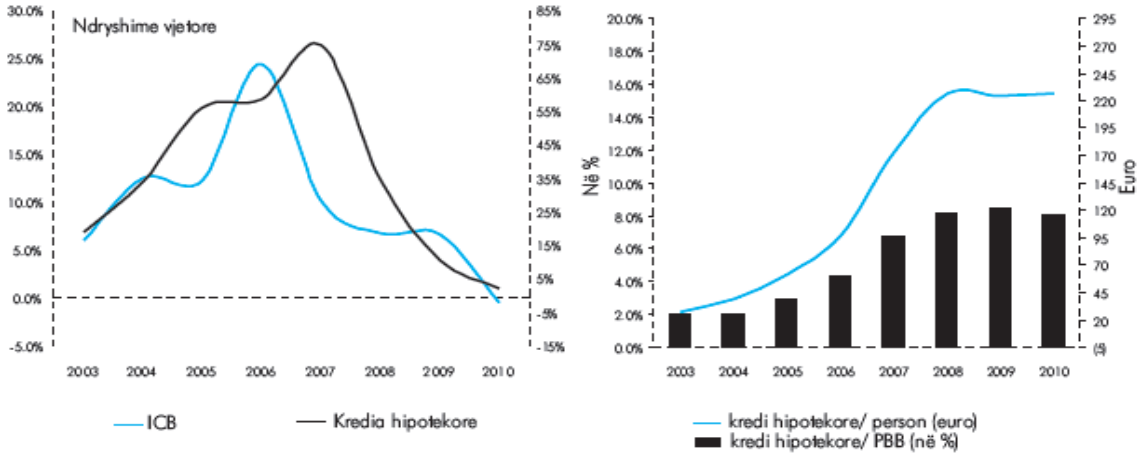
Faktoret që çuan në rritjen dhe rënien e kredive hipotekore në Shqiperi ndër vite.

Gatishmëria e bankave për të zhvilluar këtë segment të tregut u shoqërua edhe nga dëshira e klientëve të tyre për të marrë kredi. Gjatë kësaj periudhe, u vu re një rritje e interesimit të individëve për të marrë kredi, e nxitur nga vet rritja e shpejtë e çmimeve për banesa gjatë viteve 2004-2007, e cila vështirësoi blerjen e një banese nga individët me fondet e veta. Çmimet e banesave gjatë kësaj periudhe ishin rreth 50% më të larta se në fund të vitit 2004. Në të njëjtën kohë, bankat prezantuan oferta tërheqëse të kredisë hipotekore, duke lehtësuar dukshëm kushtet e kredi-dhënies, të cilat nxitën kërkesën për kredi hipotekore. Rritja vjetore e kredisë hipotekore shënoi 65%, dhe në fund të periudhës portofoli i kredisë hipotekore ishte pothuajse dy herë më i lartë se në fundin e vitit 2004. Po kështu, kjo periudhë është karakterizuar nga rritja e aktivitetit ekonomik në vend, e cila gjykohet se ka ndihmuar në krijimin e pritshmërive pozitive për të ardhmen dhe për rritjen e mëtejshme të çmimeve të banesave, duke nxitur individët për të blerë banesa me kredi.

Ndërkohë, mbas vitit 2007, norma e rritjes së portofolit të kredisë është zvogëluar dukshëm duke shënuar dhe vlera negative përgjatë vitit 2010. Në fund të vitit 2008, nga ana e ofertës, ngadalësimi i dukshëm i rritjes së portofolit të kredisë është ndikuar nga vështirësitë në likuiditet të sistemit bankar. Këto vështirësi i detyruan bankat të shtrëngonin ndjeshëm kushtet e kreditimit, në veçanti për kreditimin në valutë të individëve.

Në fund të vitit 2010, niveli i kredisë hipotekore në Shqipëri, përbën më pak se 10% të prodhimit të brendshëm bruto të vendit, ose ndryshe rreth 226 euro kredi për banorë. Kredia hipotekore për individë përbën rreth 20% të portofolit të kredisë së sistemit bankar.

Grafiku 3. Kredia Hipotekore dhe Çmimet e Banesave



Burimi: Banka e Shqiperise

Letrat me vlerë të emetuara mbi bazën e huave hipotekore

Si per te gjitha letrat me vlere edhe per huate hipotekore zhvillohen nje sere veprimesh qe perfaqesojne veprime te tregut sekondar. Domosdoshmeria e e veprimeve ne tregun sekondar per huate hipotekore lind nga nevoja e garantimit te bankave akorduese nga rreziku i mosshlyerjes se huase , ndryshimeve te pafavorshme ne normat e interesit, dhe zhvillimin e metejshem te financimeve per zgjidhjen e problemeve te strehimit dhe investimit te fondeve te lira.
Për shtimin e burimeve të kreditimit bankat huadhënëse përdorën kthimin e huave hipotekore në tituj obligacionale (letra me vlerë borxhi), të cilat shiteshin në tregun e kapitaleve dhe nga paratë e arkëtuara jepeshin kredi të reja hipotekore. U krijua kështu një radhë e tërë e derivateve financiare - tituj borxhi që garantoheshin me po të njëjtat hua të dhëna hipotekore. Përveç kësaj në përpjekje të vazhdueshme për gjetjen e burimeve të reja kreditimi bankat dhe institucionet e specializuara filluan të blejnë huatë hipotekore, t'i klasifikojnë ato sipas kritereve të posaçme dhe pastaj t'i shndërrojë në kategori të ndryshme tituj detyrimesh duke arkëtuar likuiditete me të cilat mund të jepeshin hua të tjera. Kjo praktikë në literaturë përshkruhet me emërtimin "pool creation" (krijim i grumbuj-depozitave të huave dhe emetim për to i obligacioneve të reja).
Në këtë mënyrë krijohet një rrjet i tërë derivatesh financiare nëpërmjet të cilave jo vetëm siguroheshin burime të reja kreditimi, por shpërndahej dhe rreziku i mosshlyerjes së detyrimeve në shumë hallka. Po të shikohen të gjitha llojet e derivateve financiare arrihet në konkluzionin se sot shuma botërore e derivateve financiare kap madhësinë e 60 trilion dollarëve, që është 100 herë më e madhe se 10 vjet më parë. Me këto mënyra u zgjerua jashtë masës dhe u deformua gjithë struktura e mjeteve likuide në ekonominë botërore.

Në tregun dytësor të huave hipotekore kryhen këto veprime :

☑ Shitjen nga ana e akorduesve të detyrimeve të huave hipotekore me zbritje te caktuar siç veprohet për skontim të çdo lloj tjetër borxhi.
☑ Klasifikimi dhe kthimi i huave hipotekore në letra me vlere të veçanta detyrimi dhe shitja e tyre investitorëve të tjerë.
☑ Emetimi mbi bazën e huave hipotekore të obligacioneve të veçanta të garantuara nga pasuritë e paluajtshme.

Dallimet mes tregut tradicional të obligacioneve dhe atij të obligacioneve të mbështetur në huatë hipotekore.

a) Së pari, huatë hipotekore, ashtu edhe letrat me vlerë të emetuara në bazë të tyre kanë si garanci objekte të një pasurie reale, në formen e ndërtesave , trojeve, etj dhe huadhënësi në rast dëmtimesh mund të veprojë si pronar i këtyre objekteve për plotësimin e shlyerjes së fondeve të akorduara gjë që në rastine obligacioneve tradicionale nuk ekziston.

b) Së dyti, instrumentat e tregut të huave hipotekore dhe të obligacioneve të bazuara në to, nuk kanë një shprehje standarte nga ana e vlerës së një njesie siç janë obligacionet e tjera , të cilat emetohen zakonisht në njesi standarte me një vlerë të paracaktuar p.sh 1 000 dollarë njëra , ka gjithashtu afatin individual të maturimit , normën individuale të interesit etj që nuk i kanë llojet e tjera të obligacioneve standarde.

c) Së treti, huatë hipotekore dhe obligacionet e bazuara në to karakterizohen nga lidhje të tjera ndërmjet investitorëve, huadhënësve dhe emetueseve të tyre. Për obligacionet tradicionale të kompanive që tregtohen në formën e ankandëve publike ekziston informacion i plotë mbi emetuesit mbi kushtet e emetimit informacion ky që nuk është aq i detajuar në rastin e obligacioneve që emetohen mbi huatë hipotekore se investiori i blen ato nga bankat dhe nuk ka informacion për huamarrësit dhe aftësinë shlyerse të tyre.

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PROF. ASS. DR. MUJO DACIĆ, MSC. FARUK Z. DACI – NDËRGJEGJËSIMI I POPULLSISË REZIDENTE PËR PARAQITJEN E OFERTËS TURISTIKE NË ROZHAJË

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Abstrakti

Mali i Zi shquhet për potenciale të turizmit malor, parqeve nacionale, të gjuetisë dhe turizmit kulturor, krahas turizmit detar. Sidomos në pjesën veriore të pozitës gjeografike të saj, konkretisht në Malësinë e Rozhajës, si një zonë me potenciale të shumta të zhvillimit të turizmit.
Qëllimii këtij punimi është paraqitja e disa aspekteve të cilat identifikojnë mundësitë dhe rëndësinë që ofron Malësia e Rozhajës në zhvillimi i turizmit, posaqersht masivi malor i bjeshkës së Hajlës (me lsrtësi mbi detare 2403m). Në këtë punim posaqerisht paraqitet ndërgjegjsimi i popullatës rezidente në shërbim të ofertës turistike, pasi që deri vonë resurset janë shfrytezuar vetëm për nevoja industriale.

Fjalë kyçe: Potenciale turistke, Oferta turistike, Kërkesa, Mundësi zhvillimi, Malësia e Rozhajës.

Hyrje

Duke parë se Malësia e Rozhajës ka mjaft pasuri natyrore për zhvillimin e turizmit, sidomos atij malor, ka qenë arsyeja e hartimit të këtij punimi. Mirëpo me gjithë pasuritë e saja të rralla si ato natyrore, kulturore, etj, si duket nuk janë ruajtur, ose shfrytëzimi i këtyre bukurive nuk ka ende nivelin e duhur.
Rutina e përditshmërisë bënë që njerëzit të levizin shumë, kështu që bënë të zhvillohet turizmi si veprimtari ekonomike e cila sjell, levërdi fitimprurëse për ekonominë e secilit vend, e po ashtu edhe të Republikës se Malit të Zi, si vend në tranzicion. Potencialet e shumta dhe shfrytëzimi i tyre, në shërbim të ofertës se mirëfilltë turistike, kanë peshën, rolin dhe rendësin e tyre në zhvillimin ekonomik dhe në përgjithësi të brutoproduktit shoqëror.

Mundësitë e zhvillimit të turizmit

Turizmi si degë më prioritare e zhvillimit ekonomik përkrah degeve tjera është paraqitur e para në listë.Sa i përket parimeve të qëndrueshmërisë autorët i referohen aspekteve mjedisore, ekonomike, dhe socio-kulturore të zhvillimit të turizmit e sidomos turizmit malor.208
Sipas Organizatës e Kombeve të Bashkuara Botërore e Turizmit209 përkufizimi turistnënkupton një person që udhëton jashtë vendit të tij ose të saj të zakonshëm për një periudhë të caktuar kohore, me një qëllim të udhëtimit që është i ndryshëm, ka një varg aktiviteteve të ndryshme që paguhen nga personi në vendin e vizituar.210 d.m.th. me turizëm nënkuptojmë lëvizjen e njerëzëve me qëllim rekreacioni, argëtimi, shërimi dhe zgjerimi të njohurive kulturore.
Kuptimi i turizmit varet shumë nga aspekti i qasjes së studiuesve. Turizmi përcaktohet si lëmi biznesore transproduktive e cila buron pikërisht nga struktura biznesore dhe organizative e tyre, fjala është për fenomenet më hetorogjene të botës bashkohore që i përfshin sistemet natyrore,

[208] Kruk, E., Hummel, J., and Banskota, K., (2007). "*Facilitating Sustainable Mountain Tourism"*. Resource Book - Volume I, Nepal. pp.124-140
[209] UNWTO (United NationsWorld Tourism Organization)
[210] UNWTO 2014: http://www2.unwto.org/

antropogjene, ekonomike, sociale, politike, kulturore, etiologjike, shëndetësore, sportive, rekreative, religjioze, informatikës, komunikuese dhe ekologjike.211 Me turizëm kuptojmë një sektor të rëndësishëm, një industri me kapacitetete të shumta, e cila ka bërë arritje dhe sukses të jashtëzakonshëm. Sektori turistik nërthuret dhe bashkvepron me shumë sektorë tjerë.
Turizmi konsiderohet një rrugë për zhvillimin e rajonit, një ndër specifikat kryesore me ndikim në viset malore me përfitime të konsiderueshme, që ndikon në mënyrën e jetesës e jetesës që mund të shndërrohet në mundësi ekonomike pasi që jetesa tradicionale janë nën kërcënim.
Malet paraqesin potencialin më të rëndesishëm për zhvillimin e turizmit në komunën e Rozhajës, dhe për atë të Veriut të vendit dhe Malit të Zi në përgjithësi. Malët e Bjeshkeve të Nemura (afër Rozhajës) bëjnë pjesë në me një siperfaqe rreth 28,457 ha (hektar)212, një zonë me një potencial të madh turistik.

Deri vonë, pavarësisht paraqitjes së potencailit turistik me të mira natyrore, që një shansë për plasimin në tregun turistik vendor dhe ndërkombëtar si dhe një zhvillim të qëndrueshëm ekonomik lokal, Bjeshkët Hajlë që njihet si vend malor, bjeshkë me bukuri të rralla, nuk kanë qenë të shfrytëzuara sa duhet për shtigje malore për turistët, por si burime natyrore për lëndë të parë në përpunim industrial të drurit dhe si lëndë djegëse. Kështu që Ndërmarrja Shoqerore "Gornji Ibar", ka pasur një rritje në vitet e shtatëdhjeta dhe tetëdhjeta të shekullit 20-të të shfrytezimit të pyjeve. Autorët Haxhiq F. dhe Lluboder, H., (2013)213 në librin e tyre, duke u bazuar në të dhëna zyrtare të "Gornji Ibar" në vitin 1979 është thyer rekordi në përpunimin e drurit 72.000 m3 në vit. Mirëpo ne do të përqendrohemi më tepër në zhvillimin ekonomik të tanishëm si dhe promovimi e bjeshkës së Hajlës. Mundësitë e krijimit të projekteve nga organziata të ndryshme relevante, që në një farë mënyre ndikojnë në zhvillim ekonomik, qoftë afatshkurtër apo afatmesëm. Me ndihmën e shtetit do të krijoheshin kushte më të favorshme për banorët, bizneset dhe turistët, ku këta të fundit do të kënë hapsirë më të madhe për kërkim të një pushimi sa më relaksues.
Falë angazhimi të lartë banorëve, të ndërmarrësve, Bizneseve të Vogëla dhe të Mesme, organizatave të ndryshme dhe institucioneve përkatëse shtetrore, ka bërë që në Mal të Zi të zhvilohet turizmi mjaf shumë, kështu që sipas raportit të Këshillit të Udhëtimeve dhe Turizmit Botëror214 për vitin 2013, Mali i Zi renditet i dyti në botë në aspektin e kontributit të drejtpërdrejtë të turizmit në BBV-i dhe parashikimet për periudhen 2013-2023 janë se Mali i Zi do të vazhdojë të qëndrojë pranë në krye të listës në këtë drejtim.
Sa i përket zhvillimit të rajoneve shume me tepër është përqendruar në zhvillimin e turizmit detar. Posaqërisht do të duhej të jepet rëndesi zhvillimit të turizmit rural, siq është rajoni i Rozhajës, e veçanarisht në vendet ku janë të përqendruara komuniteti pakicë.
Në zhvillimin ekonomik të Rozhajës rolin kryesor e luajnë aktualisht degë si: turizmi, tregtia, transporti, ekonomia bujqësore, etj.215 Veçanarisht në qytetin e Rozhajës dhe bjeshkën e Hajlës me qendrën turisitke në Bukel të Epërm ka marrë rëndësi të veçantë zhvillimi i ekonomisë turistike. Për zhvillimin e turizmit malor ka potencale të shumta:
Sezoni i dimrit i mbuluar me dëbor,
Pasuria natyrore,
Sezoni i verës me diell, por edhe me diell,
Flora dhe fauna e pasur,
Shkëmbinjë të thepisur, etj.

Tregu i synuar për këto produkte turistike malore janë turistët vendor, fqinjësor dhe ndërkombëtar. Karakteristikat e individeve apo grupeve janë fëmijët, moshat të reja, mosha të mesme dhe moshat të shtyera. Pushues të orientuar në mjedis të pastër, në të cilin ende mund të zbulohen sekrete të çmuara dhe të rralla të natyrës piktoreske.

[211] Koja, V. &Gorica,K. (2007). *" Marketingu i turizmt"*, Tiranë. Fq. 242
[212] Statistical Office of Montengro-MONSTAT. (2014). *"Statistical yearbook 2014*". Podgorica.
[213] Hadžića, F. & Lubodera, H. (2013). "*Staro Rožaje – fotomonografije*". Rožaje/Rozhajë.
[214] Faqja zyrtare e World Travel and Tourism Council : http://www.wttc.org/
[215] Faqja zyrtare e Komunës së Rozhajës: www.rozaje.me

Ndërgjegjësimi i popullsisë rezidente për paraqitjen e ofertës turistike në Rozhajë

Malet janë ekosisteme të cilat mbulojnë 23% të siperfaqës së tokës në botë.Ato shënojnë çdo kontinent dhe të gjitha llojet kryesore të ekosistemeve, nga shkretëtira tropikale deri të pjesa tjetër ndaj akullnajave polare (UNEP-WCMC, 2014).216 Sipas shumë agjencive të statistikave, rreth 12 deri 14 për qind e popullatës në botë jetojnë në male, ose shumë pranë në zonat malore dhe e varur në burimet e tyre. Shumica e komuniteteve malore janë rurale, dhe më të jetojnë në varfëri. Për të sinjalizuar zbutjen e varferisë duhen implementuar projekte në interes për banoret lokal dhe shtetit në përgjithësi, me synim promovimin e turizmit.
Zhvillimi dhe rritja së turizmit varet nga projektet që implementohen, e ku projektet e zhvillimit të turizmit që kanë qenë më efektive të kontribuojë në zbutjen e varfërisë përfshijnë:217

- Nxitja e punësimit në vende rurale për hapjen e bizneseve turistike (duke përfshirë trajnimin, veçanërisht për gra jo të arsimuara);
- Promovimi e krijimit të bizneseve të reja turistike nga të varfërit (të tilla si mikro dhe bizneset të vogla);
- Nxitja e furnizimit të mallrave dhe shërbimeve për bizneset turistike nga bizneset që kanë në pronësi më të madhe produkte (zinxhirin e furnizimit);
- Nxitja në shitjen e drejtpërdrejtë të mallrave dhe shërbimeve për turistët nga të varfërit;
- Përfshirja në partneritet me qeveritë lokale për të mbështetur strategjitë fiskale, të tilla si taksa apo tatime se fondi për ndërtimin e rrugëve, rrjetet e komunikimit, shkollat rurale, kanalizime apo shëndetin përmirësime.
- Lehtësimi në dhurimet vullnetare dhe mbështetje nga bizneset turistike dhe turistët; dhe
- Investimi në infrastrukturë dhe ngritjen e kapaciteteve vendore.

Sipas rezultateve preliminare të regjistrimit të banorëve së vitit 2011, komuna e Rozhajës ka 23,312 banorë me 5684 ekonomi familjare. Përberja kombëtare e banorëve sipas të dhënave të regjistrimit të vitit 2011 është si vijon: Boshnjak 83,91%, Shqiptar 5,04%, Mysliman 4,55%, Serb 3.58, Malazezë 1.75%, Të pa përcaktuar 0.31 %, të tjerë 0.86%.218
Rozhajës është vendosur në pozita gjeografike në mes 42°e45' dhe 42°e59' gjerësi veriore dhe 17°e41'dhe 18°e0' gjatësi lindore.219 E vendosur në pjesën veriore të Malit të Zi, në kufirin e Serbisë, Malit të Zi dhe Republikës së Kosovës. Rozhaja është Komuna e vetëme në Mal të Zi, e cila dallohet për karakteristikat demografike, veçanarisht për rininë, ku mosha mesatare e banorëve është 29,9 vjet.220 Andaj është me lehtë të pranohen dhe implementohen projektet.
Banorët rezident nuk do të përjetojnë çdo ndikim. Disa janë të varur nga tiparet e veçanta e burimeve natyrore (malet) ose zhvillimi i modeleve hapësinore ("zona turistike" të veçanta), disa të tjerë kanë të bëjnë me gjendjen sociale të komunitetit, veçanërisht aftësinë për të vlerësuar ndikimin qëtë lidhet me turistë.Ende të tjerët kanë të bëjnë me llojet dhe intensitetit të zhvillimeve turistike, dmth, miratimit ose refuzimit ndaj aktiviteteve turistike.221
Për një ekonomi të turizmit të bazuar për të mbajtur veten në komunitetet lokale, banorët duhet të jenë partnerë të gatshëm në këtë proces. Qëndrimet e tyre ndaj turizmit dhe përceptimet e ndikimin e saj në jetën e komunitetit duhet të vlerësohen vazhdimisht.222
Destinacionet malore janë të përhapura gjithandej territorit të Malit të Zi. “Komuna e Rozhajës është zona me përqindjen më të lartë të pyjeve në gadishullin e Ballkanit, ku mbi 48% e territorit të saj të

[216] UNEP - United Nations Environment Programme, Copyright © United Nations Environment Programme, 2007, Tourism and Mountains A Practical Guide to Managing the Environmental and Social Impacts of Mountain Tours: http://www.unep.org/
[217] Richardson, R. (2010). *“The Contribution of Tourism to Economic Growth and Food Security”.*Accelerated Economic Growth Team.*USAID Mali. pp. 1-6*
[218] Statistical Office of Montengro-MONSTAT. (2011).
[219] Po aty.
[220] Faqja zyrtare e Komunës së Rozhajës: www.rozaje.me
[221]Kreag G., (2001), *“The Impacts of Tourism”*, Minnesota Sea Grant, University of Minesota, USA: 2-19.
[222]Allen, et al.,(1988). *“The impact of tourism development on resident’s perception of community life”*. Journal of Travel Research 27(1): 16-21.

përgjithshëm prej 432 km2 është e mbuluar me pyje ose toka pyjore".223 Ndër pikat më të më atraktive për zhvilliin e turizmit malor është masivi malor i Hajlës 2403m lartësi mbidetare mbi nivelin e detit. Ku pranë kësaj maje më të lartë, në pjesën veriore gjendet fshati piktoresk ekoturistik Bukeli i Epërm, që ndryshe nga banoret lokal të të dy anët e kufirit njihet si fshati ndër Hajlë. Falë masivit malor të Hajlës, ky fshat gëzon epitetin e fshatit turistik në Komunën e Rozhajës. Fshati Bukeli i Epërm së bashku me Hajlën, janë një antibiotik për banorët e Rozhajës, për turistët vendor dhe turistët nga shtetet tjera. Lokalitetet atraktive ofrojnë mundësi të shumta për të praktikuar aktivitetet të shumta në natyre si: ski, alpinizëm biçiklizëm malor, pushim të qetë, etj.
Lumi i Bukelit të Epërm që burimet i ka në Hajlë, e dy më të njohurat janë burimi i quajtur Gurra e Studentit (buron në lartësinë afër 2000m) dhe Gurra e Malsorëve (buron në lartësinë 1800m). Gjithashtu gjatë rrjedhes deri në fshat mbledh edhe shumë kroje tjera si Gurrat e Ftohta, Kroni i Kralanit, Kroni i Livadheve të Smajlit, Kroni i rrëmbave, Gurra e Zenelit, etj. Gjithashtu edhe në fshat mbledh 6 kroje: Kroni i Dulajve, Gurra e Rexhës, Kroni i Elezajve, Kroni i Bregut dhisë, Gurra e Deshajve dhe Kroni i pasmajës, të gjitha këto burime të sistemuara në një largësi 1 km, afersia mes njera tjetrës nuk kalon 200 m. Të gjitha këto burime të lartcëkura edhe të tjera janë të pijshme, të pasura me kristale, të ftohta dhe shumë të shëndetshme për organizmin e njeriut dhe organizmin e kafshëve. Në lumin e Bukelit të Epërm rritet shumëllojshmëri e peshkut, siç është Trofta.
Bukeli i Epërm ndodhet në një faqe mali dhe njihet se deri tek vendi arrihet nëpërmes rrugeve karakteristike të shtruara me gurë. Rruga e parë nga Rozhaja arrihet me veturë te vogël nëpërmes magjistrales Rozhajë – Pejë, e që në kilometrin e 6-të, lihet magjistralja dhe vazhdohet rruga e shtruar me gurë buzë rrjedhës së lumit Bukeli i Epërm, e që për 2 km dërgon në këtë fshat. Rruga tjetër është e quajtur Hajlit (rruga e Karvanit), sjellë nga qëndra duke vazhduar rrugës përbuz Kombinatit të drurit "GORNJI IBAR", për të filluar për tu ngjitur për lagjen e Demaj, përbuzë paralagjes Banxhovobërdo dhe fshatit Peshkaj e Bukel i Poshtëm, drejt ne krye të fshatit në lartesine 1450m lmd të quajtur Qafë e Bukelit.

Roli dhe rëndesia e turizmit për zhvillimin e turizmit malor në fshatin turistik Bukeli I Epërm është i madh. Në bazë të potencialeve në disponim, zhvillimi i turizmit mund te jete njera prej veprimtarive ekonomike që do te ndikoj në zhvillimin ekonomik të Bukelit të Epërm. Kur kemi parasysh vështirsite nëpër të cilatka kaluar kjo veprimtari ekonomike se bashku me deget e tjera ekonomike, sot jane krijuar kushte për zhvillimin e sajë. Vështirësit janë paraqitur pasi të ardhurat gjithnje janë gjenuar më se shumti nga prerja e pyllit dhe shitja e tyre në tregun e drurit për shfrytezim të me tutjeshem, pastaj për shfrytëzim për djegje, etj.

Foto1. *Pamje e Hajlës nga Bukeli i Epërm, Rozhajë, Mali i Zi*

Burimi: *Faruk DACI, 2014*

Në këtë rajon në aspektin e produktit turistik, mund të përpilohen paketa disaditore duke u përqendruar në veprimtaritë e turizmit malor të interesit të veçantë. Kështu, këtu mund të zhvilohet turizmi rural bazuar në mënyren e jetesës, prodhimet tradicionale, ushqimet, pijet, etj.

[223] Faqja zyrtare e Komunës së Rozhajës: www.rozaje.me

Oferta turistike në fshatin turistik Bukel të Epërm:

Ekoturizmi i orientuar në natyrë,
Hedhje me parashutë sportive (paragliding),
Vozitje motoristike nëpër bjeshkë (si me vetura – chipa ashtu edhe me motor (me dy rrota),
Biçikleta malore,
Shetitje në këmbë dhe çlodhje,
Ekskurzionet nga grupe të ndryshme (të rinjët, familjet, nxënësit, studentet, pensionistët),
Ecje me kalë,224
Udhëtime studimore (me theksim për studimet e pasurisë bimore),
Udhëtime artistike (me theksim të pikturimit të bukurive dhe
Turizmi kulturor (me shtëpi muze, veshje tradicionale),
Peshkimi, 225
Gjuetia,226
Udhëtime në zonat kufitare në bashkëpunim me Republikën e Kosovës dhe Shqipërisë në bjeshkët e Hajlës 2403, dhe pikave tjera të larta Shtedimi, Dromodoli, Gjeravica, Maja e Karënfilit, etj.

Për të zhvilluar turizmin malor duhet punë e madhe dhe mjaft serizoe si nga banorët resident, nga shteti dhe nga operatoret turistik, duke krijuaar mundësi të drejtëprdrejta për zhvillim dhe një sërë shërbishesh atrkative për turistet.
Zhvillimi ekonomik lokal dhe reduktimi i varfërisë arrihet nga veprimtaritë e bizneseve turistike me investime konkrete, përmes menaxhimit të mirë dhe duke maksimizuar numrin e punonjësve që kryejnë punët e nevojshme. Gjithashtu bartin një mesazh të qartë që sigurojnë banorët për të shitur produktet tradicionale autoktone tek bizneset, që ndikimi rritet gjithnjë e më i lartë komunitet.
Meqenëse zhvillimi ekonomik sipas hulumtimeve teorike dhe praktike të paraqitura në këtë hulumtim, ka të bëjë me shumë llojllojshmëri aspektesh, zhvillimi i turizmit si aktivitet ekonomik duhet te trajtohet jo vetem në aspekt te rritjes ekonomike të vendit, por edhe në aspekt të ndërlidhjes me kualitetin e jetës së banorëve resident.
Për arsye se të ardhurat e gjeneruara nga pyjet janë zvogluar, sepse vedijesimi shterreor ka filluar, gjithashtu edhe vedijesimi i gjenerateave të reja nga këto anë për mbrojtjen e pasurisë malore. Gjithashtu ndikon edhe ulja e intersimit të të rinjëve për tu marr me këto punë, pasi janë të veshtira dhe kërkojnë aktivitet shumë të lartë fizik dhe ne numër më të madh të organziuar, si dhe migrimi i disa të rinjëve, gjë që e zvogëlon zingjirin e puntorëve të familjes përkatëse.
Për të shpëtuar fshatin Bukeli i Epërm e posaqerisht bjeshkët e Hajlës nga demtimet duhet që të jenë banorët e punsuar, do të zhvillohej industria e turizmit ku ka nevojë për të vepruar në mjedise të cilat do të jenë atractive për turistët mbeten, si shtiqet për shetitje, argetim, pushim, shërim, komunikim dhe infrastrukturën energjetike. Këto shërbime dhe objektet janë gjithashtu të vlefshme për komunitetet lokale. Shumë prej të pranishmëve mendonin se turizmi nuk ka të bëjë shumë që të ketë një ndikim të rëndësishëm në familje të ardhurat dhe mjetet e jetesës në një zonë lokale. Kjo mund të përbëjë një ndikim të rëndësishëm kombëtar nëse industrinë e turizmit si një adoptuar gjithë praktikën më të mirë ndërkombëtare.

Përfundimi

Duke u nisur nga trendet aktuale dhe trendet e parashikuara të kërkesës ndërkombëtare turistike, ekzistojnë mundësi reale në plasimin e ofertës turistike të Bjeshkëve të Nemura në tregjet ndërkombëtare. Oferta kulminante turistike e Rozhajës është ajo në bjeshkët e Hajlës për rajonin verior të Malit të Zi, që përfshinë rrethin më të gjerë të kërkesës lokale, rajonale, kombëtare dhe ndërkombëtare bazohet në: peizazhet masive malore, që kanë potencial të madh pranimi, natyra e

[224] Ndjekje e kursit paraprak për kalërim të organziaura nga banorët rezident, që e kanë po thuajse profesion, sidomos të vjetërit, mirëpo synohet të trashegohet tek gjeneratat e reja.
[225] Gjatë muajve të verës egziston periudhë ku mund të peshkohet, në bazë të Ligjeve, Rregulloreve në fuqi të Republikës së Malit të Zi, dhe në bazë të antarësimit paraprak në Shoqatën e Peshkatarisë.
[226] Sipas Ligjeve përkatëse në Mal të Zi nuk mund të zhvillohet në të gjitha kafshet gjuetia, sepse janë te mborjtuara disa dhe janë në rrezik të zhdukjes. Mirëpo disa të tjera mund të gjuhën në të gjitha stinët e vitit, me leje paraprake shtetrore.

ruajtur, sidomos flora dhe fauna, lartësitë malore që arrijnë mbi 2400m lartësi mbidetare, me kushte të përshtatshme klimatike për zhvillimin e turizmit veror e sidomos të atij dimëror.
Turizmi konsiderohet një rrugë për zhvillimin e rajonit, një ndër specifikat kryesore me ndikim në viset malore me përfitime të konsiderueshme, që ndikon në mënyrën e jetesës që mund të shndërrohet në mundësi ekonomike pasi që jetes tradicionale eshtë nën kërcënim.
Turizmi është një sektor i rëndësishëm ekonomik në rritjen dhe zhvillimin e një vendi, kjo do të arrihet duke bërë permërsimin të shërbimeve që ofrohen në zonën malore të Hajlës të Malësisë së Rozhajës, me informimin e mirëfilltë të konsumatorëve/turistëve me marketing, në mënyrë që të bëhet rritja e vlerës së turistëve dhe banorëve rezident në lokacionin përkatës. Gjithashtu thuhet se një pjesë të barrës apo përgjëgjësisë duhet bartur edhe agjensionet turistike duke promovuar sa më shumë dhe sa më mirë ofertën turistike vendore.
Banorët e Malësisë së Rozhajës janë duke bërë përpjekje që të paraqesin para turistëve ofertën e tyre, e mirëpresin çdo projekt që ndërmerret nga institucionet shtetrore që ka për synim zhvillimin e me tutjeshëm të të turizmit të Malësisë së Rozhajës, si një zone me potenciale të shumta.

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DIANA SHEHU – GLOBALIZIMI DHE NDIKIMI I TIJ NE INSTITUCIONET FINANCIARE

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Abstrakti

Globalizimi është një process, i cili përfshin të gjitha aspektet jetësore: politike, sociale, ekonomike, demografike, ambientale, kulturore, megjithëse kushtet paraprake të zhvillimit të këtij procesi duket se kanë patur më tepër karakter ekonomik dhe social. Si rrjedhim, analiza e tij në mënyrë të pjesshme nuk do ta plotësonte kuadrin plotësisht, por për qëllime studimore bëhet i pashmangshëm studimi i tij sektorial. Në të njëjtën kohë duket e qartë se globalizimi është një fenomen i pandalshëm, i cili duhet pranuar si i tillë dhe të administrohet në atë mënyrë që të jetë i vlefshëm për të gjithë njerëzimin, duke marrë parasysh edhe karakterin e tij mbarënjerëzor. Edhe mbi origjinën e globalizimit ka mendime nga më të ndryshmet. Diferenciali kohor midis këtyre mendimeve nuk është i parëndësishëm: përfshin shekuj, por edhe mijëvjeçarë duke filluar që me tregtinë në Egjiptin e vjetër, duke kaluar në zbulimin e Amerikës, duke vazhduar më pas me revolucionin industrial të shek. XIX e deri në zhvillimin teknologjik të disa dekadave më parë.

Me gjithë rëndësinë e zbulimeve dhe marrëdhënieve tregtare të disa shekujve apo disa mijëvjeçarëve më parë, duhet thënë se zhvillimet e dy shekujve të fundit, duke filluar nga revolucioni industrial i shek. XIX, kanë qenë vendimtare në procesin e globalizimit për një sërë arsyesh të cilat e dallojnë globalizimin e tanishëm nga integrimet e mëparshme në disa pika:

- volumi tregtar ka pësuar një rritje të jashtëzakonshme në dy shekujt e fundit në nivel botëror;
- varieteti i mallrave dhe shërbimeve të përfshira në marrëdhëniet tregtare kanë pësuar një rritje të konsiderueshme;
- diferenca midis çmimeve për të njëjtin produkt apo shërbim ka pësuar një rënie të vazhdueshme ne tregjet e vendeve te ndryshme;
- shmangia e efekteve inflacioniste nëpërmjet rritjes së disponibilitetit të faktorëve prodhues si rezultat i rritjes së marrëdhënieve tregtare ka bërë të mundur që të ndajë presionin e çmimit mbi faktorët e pamjaftueshëm prodhues.

Globalizimi i tregjeve financiare

Në vazhdën e botëkuptimit neo-liberal të kapitalizmit, duke filluar nga vitet ’80 të shekullit të kaluar edhe tregjet financiare kanë pësuar një liberalizim të theksuar duke vënë theksin në këtë mënyrë tek “dora e padukshme” e tregut, i cili mund të përmirësojë situatën e vendeve në zhvillim (dhe natyrisht edhe të vendeve të zhvilluara) pa qenë e nevojshme ndërhyrja dhe kontrolli i shtetit në daljet dhe hyrjet e kapitalit. Përsa i përket aktorëve financiarë duhet thënë se tashmë vihet re një shumëllojshmëri aktorësh që veprojnë në tregjet financiare. Sot bizneset mund të kërkojnë kredi me procedura më të thjeshta pranë tregjeve financiare. Bankat e nivelit të dytë mund t’i drejtohen tregut dhe të financohen nga banka të tjera apo edhe nga biznese të tjera, kur më përpara duhej të drejtoheshin kryesisht tek bankat qendrore në rast problemesh likuiditeti. Vetë shteti, mund të veprojë në të njëjtën mënyrë si bizneset e tregut financiar. Si rrjedhim shteti, bankat dhe operatorë të tjerë veprojnë në të njëjtin treg duke i përzier rolet, role të cilat para liberalizimit ishin më të qarta dhe më të ndara. Në të njëjtën kohë ka marrë një zhvillim mjaft të madh tregu i derivatëve financiarë, të cilët shërbejnë për të siguruar instrumentet primarë financiarë (si p.sh aksionet) nga rreziku i luhatjes së interesave apo këmbimit monetar: këto derivatë financiarë kur përdoren për qëllime spekullimi, pra për një fitim afatshkurtër, bëhen mjete mjaft të rrezikshme për të prodhuar kriza, duke qenë se ndikojnë në mënyrë indirekte në kostot e ekonomisë reale.

Në fakt derivatët financiarë janë “tituj mbi tituj”, të cilët e shpejtojnë qarkullimin financiar dhe e “virtualizojnë” ekonominë reale duke rritur së tepërmi rrezikun e falimentimit, që si një valë tsunami

mund të përfshijë të gjithë tregun financiar tashmë të globalizuar. Për të kuptuar rolin dhe përhapjen e madhe të këtyre mjeteve financiare mund ta konkretizojmë këtë duke thënë se transaksionet financiare ndërkombëtare janë në vlerën e 1000 miliardëve dollarë në ditë kur vlera e shkëmbimeve të mallrave dhe shërbimeve është shumë herë më e vogël se kaq. Një gjë e tillë tregon që veprimet në tregjet financiare nuk kanë një raport të drejtpërdrejtë me shkëmbimet ndërkombëtare të mallrave dhe shërbimeve.

Një situatë e tillë përshpejtohet edhe nga zhvillimi i teknologjisë së informacionit, i cili afron tregjet me njëri - tjetrin pothuajse në kohë reale duke bërë të mundur që, përveç anëve pozitive të rritet edhe aftësia kontraktuese e spekulatorëve. Po kështu liberalizimi i tregjeve ka mundësuar edhe shtimin e parajsave fiskale, ku mund të investojnë bankat, bizneset shumëkombëshe deri edhe mafiat e ndryshme, të cilat mund ta riciklojnë mjaft lirshëm pasurinë e krijuar nga aktivitetet e tyre të paligjshme Përsa i përket pasojave të liberalizimit të tregjeve financiare do t'i referohemi kontributeve të teorisë ekonomike dhe paralelisht me të do të bazohemi tek të dhënat empirike për të vërtetuar koerencën e përfundimeve teorike me realitetin ekonomik. Kështu sipas teorisë ekonomike, tregjet financiare janë të dobishme për disa arsye.
Së pari, liberalizimi i tregjeve financiare mundëson lëvizjen e kapitalit nga ato vende ku gjendet me shumicë, në vendet ku ka një defiçit të bilancit të pagesave, pra ku ka një mungesë kapitalesh. Alokimi efektiv i kapitalit rrit mirëqënien e përgjithshme të popujve. Si rrjedhim, një gjë e tillë do të mundësonte që p.sh. kapitali me shumicë nga vendet e zhvilluara të lëvizte drejt tregjeve financiare të vendeve në zhvillim.
Së dyti, liberalizimi i tregjeve mundëson kërkimin dhe gjetjen e atyre tregjeve që ofrojnë investime me fitime më të mëdha.
Së treti, rritja e konkurrencës mes ndërmjetësve financiarë do të duhet të zvogëlojë kostot e financimit, e cila përkthehet në një ulje të kostos së investimit për ndërmarrjet e vendeve të financuara.
Së katërti, zhvillime të tilla ku kemi një përmirësim të funksionimit të tregjeve dhe një shtim të operatorëve në konkurrencë me njëri - tjetrin do të shërbenin për një zhvillim të tregjeve financiare ku drejtohen financimet.

Globalizimi dhe institucionet financiare

Globalizimi në sistemin financiar ka sjellë bashkimet dhe blerjet midis institucioneve të mëdha financiare që po bëhen gjithnjë më të shpeshta në tregjet mbarëbotërore, të cilat kanë kanë tërhequr vëmendjen e politikbërësve, studiuesve dhe mbarë shtypit financiar, që vazhdimisht rendisin firmat më të mëdha financiare në mbarë botën. Shumica e këtyre megabashkimeve kanë kombinuar bankat tregtare të një vendi nën një të vetme. Në Shtetet e Bashkuara, bashkimet e fundit mes bankave tregtare kanë ndodhur midis bankave të mëdha siç është Bank of America me Nations Bank, Bank One me First Chicago dhe Norwest me Wells Fargo, të cilat janë rënditur si bashkimet më të mëdha midis këtyre institucioneve në aspektin e vlerës së tregut që kanë ndodhur në historinë e industrisë amerikane. Gjithashtu dhe në Europë janë krijuar megabashkimet midis bankave tregtare si UBS me Banken Zviceriane duke krijuar një treg bankar gjigant, të cilat janë shumë më të mëdha se ç'mund të kenë qënë bankat në të kaluarën. Në Japoni bashkimi midis tre bankave, Fuji Bank, Dai-Ichi Kangyo Bank dhe Banka Industriale e Japonisë po krijojnë bankën e parë Trillion-Dollarëshe në botë. Ajo që vemë re është një prirje e këtyre institucioneve ndërkufitare drejt bashkimeve midis institucioneve të mëdha financiare midis vendeve të ndryshme. Këto bashkime ndërkufitare shpesh herë përfshijnë institucione të ndryshme finaciare, të cilat ofrojnë lloje të ndryshme të shërbimeve financiare në vende të ndryshme. Një shembull i spikatur i këtyre lloj mega shkrirjeve është ajo e Deutche Bank me Bankers Trust, ku ky bashkim solli një bankë lider universale europiane, me një akses të madh në shitjen me shumicë të burimeve dhe investimeve bankare në Shtetet e Bashkuara. Në Europë, gjithashtu ka qëne i konsiderueshëm konsolidimi ndërkufitar i të gjithë llojeve të institucioneve financiare pas heqjeve të rregullave të konsiderueshme ndërkufitare të aktiviteteve ekonomike në tregjet financiare dhe jofinanciare. Për industritë e letrave me vlerë dhe shoqëritë e sigurimit, vitet e fundit vlera e tregut ndërkufitar e institucioneve financiare europiane të bashkuara e kanë tejkalur vleren e tregut të tyre që kanë pasur para bashkimit në vendet përkatëse. Bashkimet dhe shkrirjet e

vazhdueshme të institucioneve financiare kanë ngritur çështje të rëndësishme dhe pyetje rreth politikave, shkaqeve dhe pasojave të këtyre konsolidimeve në strukturë e ardhshme të institucioneve financiare. Ekziston një literaturë e gjerë kërkimore mbi motivet dhe pasojat e këtyre konsolidimeve, duke mbuluar efikasitetin, fuqinë e tregut dhe çështjet manaxheriale.

Duket se, shumica e rritjes së konsolidimeve përfaqeson përgjigjet e tregut për çrregullimet që e bëri atë më të mundshëm dhe më pak të kushtueshëm për t'u konsoliduar, të tillë si aktin e Riegle-Neal në Shtetet e Bashkuara dhe Programin e Vetëm të Tregut në Bashkimin Europian (BE).

Konsolidimet e ardhshme mund të motivohen nga ndryshimet e politikave të fundit, të tilla si pasazhi i aktit Gramm-Leach- Bliley në Shtetet e Bashkuara dhe krijimi i bashkimit monetar (Euro) në Bashkimin Europian. Këto ndryshime të politikave mund të përshpejtojnë konsolidime të mëtejshme të institucioneve të mëdha financiare, me pasoja të rëndësishme sociale për riskun sistematik dhe politikën monetare të vendeve të ndryshme, si dhe për efikasitetin dhe fuqinë e tregut në industrinë e shërbimeve financiare.

Trendet e institucioneve financiare

Një ndër faktorët më motivues në konsolidimet ndërkufitare të institucioneve financiare është rritja e nivelit të përgjithshëm të integrimit ekonomik përtej kufijve kombëtarë. Reduktimet në barrierat tregtare, rënia në kostot e transporteve, si dhe avancimet në teknologjinë e komunikimit kanë çuar në një përshpejtim të integrimit ekonomik ndërkombëtar në vitet e fundit. Transaksionet ndërkombëtare në mallra dhe në shërbime shpjegojnë një pjesë gjithnjë e ne rritje të ekonomisë botërore. Përshembull: produkti i brendshëm bruto botëror i tregtisë në mallra është rritur nga 21 % që ka qënë në 1937 në 30 % në vitin 1998. Rritjet e fundit të ekonomisë ndërkombëtare kanë krijuar një kerkesë për shërbime financiare ndërkombëtare. Një institucion financiar mund të përdorë një shumëllojshmëri të kanaleve për t'i ofruar shërbime financiare një klienti biznesmen të një vendi të huaj. Institucioni mund t'i ofrojë shërbimet drejtpërsëdrejti biznesit të huaj nga selia e tij qendrore në vendin e origjinës. Institucioni mund të marrë pjesë në një sindikatë që financon një hua të madhe apo tituj të letrave me vlerë që është iniciuar nga një institucion tjetër financiar që është vendosur në një vend të huaj. Dhe së fundmi, institucioni financiar mund të ketë një prani fizike në vendin e huaj (duke blerë një institucion financiar atje apo duke hapur një filial të ri) dhe të ofrojë shërbimin në vendin e huaj. Krijimi i një prezence fizike në një vend të huaj përfshin një numër të madh shpenzimesh për institucionet financiare të tilla si: vështirësitë ekonomike dhe organizative apo monotorimi i një institucioni në distancë. Megjithatë, krijimi i një pranie fizike në një vend të huaj ofron disa avantazhe potencialisht kompensuese që përfshijnë:
Shërbimi dhe monotorimi më me efektivitet i konsumatorëve me pakicë;
Mundësinë për të konkuruar për klientët më pakicë apo me shumicë në një vend të huaj.

Liberalizimi i kohëve të fundit i ka reduktuar shpenzimet e ofrimit të kësaj mënyre operimi të institucioneve financiare. Tregjet e letrave me vlerë gjithashtu reflektojnë një prirje drejt globalizimit. Çështjet ndërkombëtare të letrave me vlerë të borxhit, të letrave me vlerë të kapitalit dhe flukset e fondeve bankare ndërkufitare janë rritur të gjitha vitet e fundit. Nga viti 1933 deri 1998 obligacionet ndërkombëtare (obligacione të lëshuara nga nënshtetas të huaj plus eurobondet) u rriten nga 1.3 trilion $ në 2.6 trilion $, të cilat dyfishuan nga 8% në 16% përqindjen e bonove ndërkombëtare ndaj totalit të bonove në tregjet botërore. Kapitali neto ndërkombëtar gjithashtu është rritur ndjeshëm në terma realë; nga 50 bilion $ në vitin 1996 në më shumë se 70 bilion $ në vitin 1998. Pavarësisht këtyre rritjeve, rrjedha e fondeve ndërkombëtare e bankave mbetet po aq e madhe sa çështjet e bonove ndërkombëtare dhe në thelb janë më të mëdha se kapitali neto ndërkombëtar.

Motivet e Tregjeve Financiare

Shumica e hulumtimeve të fuqisë së tregut fokusohet mbi efektet e konsolidimit të shkrirjeve dhe blerjeve brenda një vendi dhe mbi efektet e tyre te konsumatorët me pakicë. Më konkretisht, fokusimi

është veçanarisht mbi depozituesit e vegjël dhe bizneset e vogla të bashkimeve dhe blerjeve midis institucioneve në të njëjtin treg lokal.
Tregu i bashkimeve apo blerjeve të institucioneve financiare mund të rrisin përqendrimin në tregun vendas dhe të lejojë institucione të konsoliduara të rrisin vlerën e aksionarëve, duke vendosur çmime më pak të favorshme për klientët me pakicë (norma më të ulëta të depozitave, apo norma më të larta të kredisë për bizneset e vogla). Në përputhje me këtë fokus, është vërtetuar se familjet amerikane apo bizneset e vogla pothuajse gjithmonë zgjedhin një institucion financiar lokal. Konsolidimet ndërkufitare nuk rrisin direkt përqendrimin në tregun lokal për produktet e blera në mënyrë tipike nga konsumatorët me pakicë. Megjithatë, ai mund të ndikojë në ushtrimin e fuqisë se tregut mbi këta konsumatorë duke:

Ndikuar në konsolidimin brenda kombeve;
Duke ndryshuar dinamikën konkuruese nëpërmjet konsolidimit ndërkufitar të institucioneve;
Duke nxitur rivalitet dhe rritur nivelin konkurues të tregjeve bankare vendase.

Konsolidimet ndërkufitare apo kërcënimet e tyre mund të çojnë në konsolidimin e institucioneve financiare brenda për brenda kombeve, duke rritur përqëndrimin në tregun vendas. Për të mbrojtur, së pari, fuqinë e tregut ekzistues apo manaxhimin e rrënjosur, institucionet financiare brenda kombeve të tyre mund të angazhohen në bashkimet apo blerjet midis tyre për të ndihmuar njëri-tjetrin, për të shmangur konkurentet potencialë të huaj.
Hulumtimet e tregut në përgjithësi sugjerojnë se përqendrimi i konsolidimeve në tregun lokal brenda një shteti ka gjasa që të rrisë fuqinë e tregut në vendosjen e çmimeve për shërbimet financiare të shitjes me pakicë. Studimet e bashkimeve dhe blerjeve midis bankave në çmimet kanë zbuluar se bashkimet dhe blerjet përfshijnë rritje të konsiderueshme në përqëndrimin e tregut lokal, të cilat kanë tendencen për të rritur fuqinë e tregut në vendosjen e çmimeve dhe që aspektet e tjera të këtyre bashkimeve janë të paqarta. Studime të tjera tregojnë se bankat në tregjet më të koncentruara zbatojnë norma më të larta interesi për kreditë e bizneseve të vogla dhe paguajnë norma më të ulëta interesi për depozitat me pakicë dhe se normat e depozitave të tyre janë të ngadalshme për t'iu përgjigjur ndryshimeve të tregut të normave të interesit. Është sugjeruar që fuqia e tregut mbi klientët e vegjël mund të ketë rënë në vitet e fundit, për shkak të rritjes së shkallës së konkurrimit midis shërbimeve të tregjeve financiare dhe teknologjive të reja për ofrimin e shërbimeve financiare, por evidencat empirike për këtë çështje janë të përziera. Konsolidimi ndërkufitar mund të ndikojë dhe në ushtrimin e fuqisë së tregut brenda tregjeve të veçantae dhe nëse nuk ka ndonjë ndryshim në përqendrimin e tregut vendas.
Institucionet kanë tendencen për të vendosur çmime uniformë për të gjithë organizatën edhe kur strukturat e tregut vendas ndryshojnë ndjeshëm me të gjithë tregjet me të cilët ata konkurojnë. Përshembull: një studim konstaton se bankat e mëdha amerikane shpesh kanë vendosur norma interesi uniforme për depozitat apo për kreditë përgjatë gjithë tregut gjeografik brenda një shteti apo një rajoni, edhe pse arsyet për këtë s'janë të qarta. Çmimi uniform mund të ndodhë për arsyen sepse ai është më i lehtë për tu' administruar, për arsye të marrëdhënieve publike për barazi apo faktorëvë të tjerë.
Evidencat e bankave mbi tarifat e depozitave me pakicë dhe shërbimeve të pagesave tregon marrëdhënie të pakta në përqëndrimin e tregut lokal në vitet 1990 dhe një tendencë të bankave ndërkombëtare të mbajtjes së tarifave më të larta për konsumatorët me pakicë se sa bankat e tjera. Këto rezultate të ngjashme sugjerojnë se faktorët e tjerë të përqendrimit në tregun lokal janë të rëndësishëm në ushtrimin e fuqisë së tregut. Përshembull: kjo strategji e vendosjes së çmimit mund të jetë dizenjuar nga menaxherët përgjegjës për një zhvendosje prej klientëve të vegjël të shërbyer në drejtim të klientëve të mëdhenj.

Për më tepër, konsolidimet ndërkufitare mund të rezultojnë se institucione të njejta konkurrojnë kundër njëri-tjetrit në vende të shumta. Teoria e multimarketit të kontakteve sugjeron se në qoftë se firmat përballen me njëra-tjetrën në tregjet e shumta, ato nuk mund të ushtrojnë më shumë ose më pak fuqi se sa tregu. Ato mund të kenë më shumë fuqi në treg sepse në mënyrë reciproke ndikojnë tek njëra-tjetra. Kjo është një ndër arsyet pse ato vendosin çmime të larta në vend që të konkurojnë në tregje të tjera. Gjithashtu ato mund të kenë më pak forcë në ushtrimin e fuqisë së tregut së paku në

afat të shkurtër, nëse bankat vendosin çmime strategjike për të sinjalizuar kostot e tyre apo për të përzënë konkurentët nga tregu. Të dhënat janë të përziera për efekt të kontakteve të shumta të tregut mbi çmimvënien e produkteve bankare me pakicë. Së fundmi, konsolidimet ndërkufitare apo kërcënimet e hyrjeve të reja ndërkufitare mund të reduktojnë fuqinë e ushtrimit të tregut për shkak të rritjes së konkurrencës. Një mënyrë që kjo të ndodhë është nëse institucionet ekzistuese financiare në një treg, ndryshojnë sjelljen e tyre çmim-kufi, në vendosjen e çmimeve më të favorshme për konsumatorët si një përpjekje për të penguar hyrjet e jashtme. Gjithashtu, kjo mund të ndodhë dhe nëse prodhuesit efikas të huaj hyjnë në treg dhe ofrojnë shërbime me çmime më të favorshme për të marrë pjesë nga tregu vendas nga prodhuesit vendorë që janë jo efikasë. Në Bashkimin Europian, një pikë kryesore në studimin e Cecchini mbi impaktin e tregut të vetëm unik ishte se konkurrenca ndërkufitare do të krijonte potencial të konsiderueshëm në ndryshimin e çmimeve dhe të binte në nivelin e prodhuesve me kosto të ulët.

Në të vërtetë krijimi i një tregu të vetëm për shërbimet financiare në Bashkimin Europian është një test i rëndësishëm i këtij fenomeni. Që nga miratimi i Traktaktit të Romës në vitin 1957, BE ka miratuar legjislacione të projektuara për të nxitur konkurrencën midis institucioneve financiare nëpërmjet krijimit të liçensave të vetme bankare dhe harmonizimin e rregullimeve. Miratimi i një monedhe të vetme pritet të rrisë më shumë konkurrencën midis institucioneve financiare, duke ulur barrierat e hyrjes në treg dhe duke ulur rrezikun e monedhës, e cila mund të rrisë gatishmërinë e disa konsumatorëve për të blerë shërbime financiare nga vende të tjera. Thellimi i tregjeve të kapitalit në BE ka gjasa të sigurojë konkurrencë shtesë midis bankave dhe më së shumti të atyre bankave që janë të orientuara prej shteteve të Europës Qendrore. Ky cenim i tregjeve të letrave me vlerë mund të rrisë presionin konkurrues mbi bankat, duke i dhënë klientëve të bizneseve mundësi të tjera për të rritur kapitalin e tyre duke lëshuar letra tregtare, obligacione apo barazi në kapitalin publik në vendin e kredive bankare dhe duke i dhënë mundësi të tjera kursimtarëve për të investuar me fondet e tyre në tregun e parasë, tregjet e kapitalit apo në pasuri të tjera që tregtohen në vend të depozitave bankare.

Perfundimi

Në sajë të globalizimit ekonomia globale është duke përjetuar krizën më të rëndë financiare në tetëdhjetë vitet e fundit. Kriza së pari përfshiu një pjesë të madhe të sistemit financiar amerikan, kreditë hipotekore, kurse gradualisht është përhapur në sistemin bankar të sigurimeve, fondeve dhe në bursa. Kriza financiare amerikane shumë shpejt është përhapur në sektorin financiar europian, bankar dhe në bursa. Rritja ekonomike globale e BPSH (GDP) seriozisht është ngadalësuar, janë në rënie çmimet e patundshmërive (të të gjitha llojeve), disa prej sektorëve të industrive kanë filluar të pësojnë humbje të mëdha. Treguesit e shumtë po tregojnë për rrezikun që për momentin po përjeton ekonomia globale, e cila gjithnjë e më shumë po i ofrohet recesionit e ndoshta edhe depresionit të paparë gjerë më tani. Në përpjekje që të evitohet përhapja e krizës, qeveritë dhe bankat qendrore të vendeve më të zhvilluara me masa energjike po e vënë në veprim kapitalin e freskët në sektorin bankar.

Përveç kësaj, disa banka gjer më tani me emër të madh në SHBA-të dhe në Britaninë e Madhe nuk ekzistojnë më, kanë falimentuar. Disa prej këtyre bankave qeveria amerikane i ka marrë në mbikqyrje, kurse në Europë gjithashtu po ndodh i njejti skenar. Në opinion publik është përhapur qëndrimi, që krizën financiare e kanë shkaktuar kreditë hipotekare në SHBA. Është e njohur tashmë se kreditë hipotekare të pakthyera dhe rënia e çmimit të tyre në tregun e patundshmërive ka shkaktuar humbje të pa kompensueshme, për një mori fondesh dhe banka. Kurse tërë kjo ka shkaktuar fillimin e krizës financiare të tanishme.

Mirëpo sipas shumë analizave të ekspertëve, rrjedh se kjo nuk është shkaktari kryesor i krizës. Pse nuk funksionoi sistemi financiar i rregullatorit mbikqyrës? Që në fillim duhet thënë se kriza financiare globale është krizë e sistemit financiar botëror. Ajo tani është e vështirë dhe ndryshe nga të gjitha krizat gjer më tani. Është e ditur se themelet e sistemit financiar aktual janë krijuar në Bretton Woods në gjysmën e shekullit të kaluar. Si bazë e këtij sistemi ka shërbyer dollari amerikan, në të cilin janë fiksuar të gjitha valutat e tjera, kurse dollari ka qenë i bazuar në arin. Një konstruksion i tillë ka funksionuar gjerë te shkëputja e konvertibilitetit të dollarit në fillim të viteve të shtatëdhjeta.

Shkëputja e konvertibilitetit e ka ndërprerë në një mënyrë simbolike ekonominë reale nga ajo financiare. Këtu ka ndodhur transformimi i sistemit tradicional konservativ bankar, që ka pasuar me lindjen e institucione të reja, krijimin e produkteve të reja financiare, të ashtuquajtura inovacione, opsione, derivime. Duke u bazuar në tërë këtë, sektori financiar është zhvilluar i pavarur dhe në mënyrë të pa krahasueshme më shpejt se sa ekonomia reale. Nxitja e kësaj fryrjeje financiare e ka predikuar doktrinën dominuese të tregut me bindjen që tregu financiar është mekanizëm vetërregullues, i cili nuk ka mundësi të përojë thyerje. Rritja e sektorit financiar dhe globalizimi i tij ka mundësuar rirregullimin dinamik.

Këte e ka mundësuar zhvillimi i teknologjive të larta - informatikës dhe telekomunikacionit, si dhe zhvillimi i teknologjive adaptive të një numri të madh të inovacioneve financiare. Tregu financiar është bërë global, janë zhvilluar subjekte financiare gjigante, banka dhe fonde tjera financiare, të cilat janë bërë aq të mëdha sa që mundësia e falimentimit eventual ishte minimale. Krahasimisht me rritjen e tregut financiar janë zhvilluar edhe sistemet e mbikëqyrjes dhe rregullimit, mirëpo ato si të tilla në një masë të madhe kanë mbetur me karakter nacional. Për këtë, shumë produkte inovative financiare, posaçërisht në sektorin investiv bankar, kanë funksionuar jashtë mbikëqyrjes së sistemit rregulativ. Kjo njëherit ishte dobësia kryesore që shkaktoi stuhinë në sistemin financiar, i cili veproi në mënyrë të pakontrolluar nga ana e rregullatorit mbikqyrës.

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PHD. (C) ARTAN OSMANI, VAIT NIKAJ - INDEKSET NDËRKOMBTARE NË TREGUN E KAPITALIT

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Abstrakti

Në vitet e fundit tregjet ndërkombëtare janë zhvilluar shumë dhe interesi për investime ndërkombëtare në kapital është gjithnjë e më shumë në rritje duke çuar në lindjen e nevojës së krijimit të indekseve për të ndihmuar investitorët në kryerjen e investimeve të duhura. Ata kryejnë një sërë funksionesh dhe secili nga indekset shërben për të matur një element të veçantë të tregut. Tregues të ndryshëm ndërtohen mbi lista të ndryshme të aksioneve ku një tregues mund të përfshijë disa aksione të tregtuara në publikë një pjesë të tyre. Kjo detyrë kursi do të na njohë me llojet e indekseve, mënyrën e funksionimit të tyre dhe disa nga indekset ndërkombëtare më të njohura në botë.

Qëllimi i kësaj detyre është njohja e konceptit indeks në përgjithësi dhe atij të indeksit të tregut të kapitalit, funksionimin e tyre, llojet e indekseve bazuar në klasifikimin ndërkombëtar dhe me disa nga indekset më të njohura ndërkombëtare që përdoren më së shumti nga investitorët.

Metodologjia
Për punimin e kësaj detyre kam shfrytëzuar burimet sekondare si literatura në lidhje me indekset ndërkombëtare dhe informacionet e siguruara nga faqet e ndryshme të web-it.

Çfarë kuptojmë me indeks
Para se të flasim për indekset duhet të njihemi fillimisht me termin indeks në përgjithësi dhe po ashtu me termin indeks në tregun e kapitalit në veçanti. Me termin indeks[227] kuptojmë matjen statistikore të ndryshimit në një ekonomi apo në një treg të letrave me vlerë. Në rastin e tregjeve financiare, një indeks është një portofol imagjinar i letrave me vlerë që përfaqësojnë një treg të veçantë ose një pjesë të tij. Secili indeks ka metodologjinë e vet të llogaritjes dhe është e shprehur në termat e ndryshimit nga një vlerë bazë.
Indekset[228] masin gjithashtu edhe ulje-ngritjet e çmimeve të aksioneve, bonove dhe tregjeve të mallrave dhe numrin e aksioneve në qarkullim për kompanitë që bëjnë pjesë në indeks. Disa indekse të njohura janë Dow Jones Averages, New York Stock Exchange Composite Index, American Stock Exchange Composite Index, Standard & Poor's 500 Index, NASDAQ Composite Index, Russell 2000 Index dhe Value Line Composite Index.
Indekset mund të jenë në forma të ndryshme. Indekset e tregut të aksioneve masin vlerën përkatëse të një grupi aksionesh. Indekset e çmimeve përfaqësojnë mesataret e ponderuara të çmimeve për kategori të caktuara të mallrave dhe shërbimeve, ilustrojnë luhatje të çmimeve në një fushë të caktuar dhe gjatë një periudhe të caktuar.

Llojet e indekseve

Indekset e tregut të aksioneve mund të jenë kombëtare dhe ndërkombëtare. Një indeks ndërkombëtar apo global përfshin kompani të medha pa patur parasysh se ku aksionet e tyre tregtohen apo dominojnë siç janë MSCI World dhe S&P 100 Global, ndërsa indekset kombëtare paraqesin performancën e tregut të aksioneve të një vendi të caktuar dhe reflekton besimin e investitorëve mbi

[227] http://www.investopedia.com/terms/i/index.asp
[228] http://www.allbusiness.com/glossaries/index/4944919-1.html

gjendjen e ekonomisë së saj siç janë S&P 500, Nikkei 225 japonez dhe FTSE 100 britanik. Indekset e tjera mund të jenë rajonale të tillë si FTSE Europe Index apo FTSE Asia Pacific Index.

Si funksionojnë indekset[229]

Indekset mbledhin aksione në atë që quhet "shportë" dhe në qoftë se një investitor kërkon të investojë në një indeks atëherë ai do të investojë në të gjitha aksionet që përmban shporta. Indekset janë të dizenjuara për një treg të veçantë apo për një aktiv të tillë. Investitorët që kërkojnë të kryejnë investime ndërkombëtare mund të zgjedhin njërin nga indekset ndërkombëtare pa patur nevojë të kryejë investime në të gjitha kompanitë më të mëdha të botës që një indeks mund të përfshijë. Ponderimi në një indeks varet se si aksionet janë të shpërndara në shportë dhe se si indeksi është i projektuar. Për shembull në indekset me sasi të ndryshme të pjesëve të aksionit për çdo çmim të aksionit, një aksion që kushton 20$ do të kishte një pjesë aksioni e ndërsa një aksion që kushton 5$ do të kishte 4 pjesë të aksionit për t'a bërë të barabartë me aksionin 20$. Po ashtu pesha varet edhe nga kapitalizimi i tregut, pjesët e çdo aksioni ponderohen në bazë të vlerës së tregut të aksioneve.
Indekset janë një mënyrë e mirë për të fituar ndaj ekspozimit në tregje apo sektorë të caktuar apo ndaj performancës së përgjithshme të një tregu duke blerë shportën e indeksit të duhur. Por nëse një indeks është i projektuar për një treg të caktuar kjo nuk do të thotë se është 100 % i saktë. Nëse një investitor blen një indeks tregu të huaj të një rajoni të caktuar nuk do të thotë se shporta e aksioneve do të lëvizë ekzaktësisht me ekonominë e atij rajoni. Ka shumë faktorë që mund të ndryshojnë rrjedhën e një tregu që nganjëherë nuk mund të reflektohen menjëherë në indeks.

Indekset më të njohura ndërkombëtare
Më poshtë listohen disa ndër indekset më të njohura ndërkombëtare si :
- MSCI EAFE Index
- MSCI All Country World Index (ACWI)
- S&P Global Equity Index
- FTSE Global Equity Index (VEU)
- Salomon Brothers World Equity Index (SBWEI)

Indeksi MSCI EAFE[230] njihet si një pikë referimi mjaft e njohur në Shtetet e Bashkuara për të matur performancën e kapitalit ndërkombëtar. Ajo përbëhet nga indekse MSCI të vendeve që përfaqësojnë tregje të zhvilluara jashtë Amerikës së Veriut si Europa, Australia, Asia dhe Lindja e Largët. Janë të shumta këmbimet e fondeve që kryhen në indeksin e EAFE MSCI dhe që listohen në shumicën e bursave kryesore dhe mat performancën e më shumë së 1,000 aksioneve në 21 vende si : Australia, Austria, Belgjika, Finlanda, Danimarka, Gjermania, Greqia, Irlanda, Italia, Norvegjia, Portugalia, Singapori, Spanja, Zvicra, Suedia, Zelanda e Re, Franca, Britania e Madhe, etj. Indeksi u zhvillua fillimisht në vitin 1969 nga Morgan Stanley Capital International e cila është në pronësi të bankës së njohur të investimeve Morgan Stanley dhe është i njohur aktualisht si MSCI Barra. Si një nga indekset ndërkombëtare më të vjetra, EAFE është gjerësisht e përdorur në menaxhimin e investimeve për të gjykuar performancën e fondeve të huaja të përbashkëta dhe fondeve të pensioneve.
Avantazhi i MSCI EAFE është se duke qenë një shportë aksionesh ofron ekspozimin e gjerë në tregjet e huaja me një kosto të ulët. Por edhe pse është një pikënisje e mirë investimesh ai nuk përfshin vende në zhvillim dhe me rritje të shpejtë të tregut si Brazili, Rusia, India dhe Kina. Gjithashtu vendet me tregje më të mëdha dhe më të avancuara si Japonia dhe Britania e Madhe gjithmonë do të priren të kenë peshën më të madhe në indeks, pa marrë parasysh perspektivat e tyre të investimeve dhe vendet me tregje më të vogla të aksioneve do të kenë më pak ndikim edhe në qoftë se ofrojnë kthime spektakolare.

Investitorët që janë në kërkim të krijimit të një portofoli të larmishëm aksionesh mund t'a realizojnë lehtësisht duke përdorur MSCI All Country World Index (ACWI). Ai përfshin në portofol kapital aksioner të vogla dhe të mëdha të vendeve të zhvilluara dhe kapitale të vogla dhe të mëdha të vendeve

[229] http://etf.about.com/od/etfbasics/a/What_is_a_Stock_Index.htm
[230] http://internationalinvest.about.com/od/internationalstockindices/a/EAFE.htm

në zhvillim. Ky indeks është i zhvilluar po nga Morgan Stanley Capital International (MSCI), ofruesi kryesor i mjeteve për marrjen e vendimeve të investimit. Investitorët e përdorin këtë indeks sepse ofron një mënyrë të lehtë dhe të matshme për diversifikimin e investimeve globalisht si dhe gjithashtu si nje pikë referimi për portofolet e tyre.

Indeksi S&P Global Equity231 është indeks i tregut të aksioneve për aksionet globale nga Standard&Poor's. Ai është i dizenjuar të përfshijë aksionet më likuide të vendeve të zhvilluara dhe atyre në zhvillim. Të gjitha tregjet e mëdha rajonale, kombëtare janë të përfshira duke matur performancën e 100 kompanive shumëkombëshe me kapital të madh dhe që një pjesë të madhe të të ardhurave i sigurojnë nga vendet e ndryshme ku operojnë. Një kompani shumëkombëshe është ajo koorporatë e cila ka objekte të prodhimit dhe / ose asete fikse në vende të shumta të tjera dhe që i merr vendimet në kontekst global. Ky indeks plotëson nevojat e investitorëve që dëshirojnë të ndjekin performancën e kompanive globale. Me 100 kompanitë më likuide në përbërje, indeksi mbështet investitorët me një kosto të ulët duke përfshirë fondet e huaja dhe disa derivative si kontratat e së ardhmes dhe opsionet. Kompanitë janë të përzgjedhura nga 29 vende dhe pesha e tyre në indeks varet sipas madhësisë së tregut.

FTSE Global Equity Index (VEU) mbulon mbi 7,400 letra me vlerë në 47 vende të ndryshme. FTSE Group llogarit dhjetëra mijëra tregues të performancës të tregut dhe u formua si një kompani e pavarur nga çfarë ishte fillimisht si një ndërmarrje e përbashkët e Financial Times dhe Bursës së Londrës.

Salomon Brothers World Equity Index (SBWEI)232 është një tregues që mat ecurinë e të ardhurave fikse dhe të letrave me vlerë dhe të letrave me vlerë të kapitalit nga tregjet kombëtare dhe ndërkombëtare që konsiston në kompani me një rrjedhë parash së paku 100 milionë dollarësh. Ky indeks përdor një analizë top-down për të vlerësuar kompanitë dhe pesha e tyre varet nga pesha e rrjedhave të tyre të parave. Ky indeks përfshin aksione të mbi 6,000 kompanive të vendosura në 22 vende të ndryshme.

Përfundime

Nevoja për kryerjen e investimeve të duhura ndërkombëtare ka çuar në lindjen e indekseve, duke i grumbulluar në një "shportë" aksionet më të vlerësuara dhe të konsoliduara në treg dhe ato aksione të reja të cilat paraqesin një perspektivë zhvillimi dhe ofrimin e tyre investitorëve.
Pesha e aksioneve varet nga vlera e tyre dhe "pesha" e tyre reale në treg që çon në mbizotërimin e aksioneve kryesore ndërkombëtare ato më të njohurat dhe duke lënë disi në hije ato aksione të cilët nuk janë shumë të njohura por që mund të paraqesin një zhvillim të lartë në të ardhmen.
Indekset mund të jenë në forma të ndryshme dhe bazuar në klasifikimin me bazë kufinjtë ato mund t'i ndajmë në indekse kombëtare, rajonale dhe ndërkombëtare.
Ato i ndihmojnë shumë investitorët duke ulur kostot dhe ndihmuar në diversifikimin e portofolit pa patur nevojë në kryerjen e investimeve individuale në secilin aksion.

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[231] http://www.investinganswers.com/financial-dictionary/stock-market/sp-global-equity-index-series-2984
[232] http://www.investopedia.com/terms/s/sbwei.asp

DR. YLLKA RUPA, DR. SANDER BOCI – ASPEKTE TË RREGULLIMIT TË SKEMËS SË PËRFITIMEVE SIPAS LIGJIT TË RI TË SIGURIMEVE SHOQËRORE NË REPUBLIKËN E SHQIPËRISË

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Abstrakti

Reformat në kuadrin ligjor të mbrojtjes dhe të shërbimeve sociale kanë synuar gjithnjë të rrisin mirëqenien e qytetarëve. Një aspekt krejtësisht i veçantë dhe me ndikim të drejtpërdrejtë te qytetari është sigurimi shoqëror dhe përfitimet që kontribuuesi merr nga pagesat që shoqërojnë të gjithë periudhën e punësimit të tij. Ndër vite skema e sigurimit shoqëror ka pësuar ndryshime, të cilat jo gjithmonë kanë pasur në vëmendje përfituesit, por janë përqendruar kryesisht në rritjen e performancës dhe qëndrueshmërisë së skemës së përfitimeve. Së fundmi reformimi i skemës së sigurimeve shoqërore është projektuar duke pasur në vëmendje kryesisht rritjen e pensionit për subjektet përfituese dhe mbulimin me të ardhura të të gjithë të moshuarve pavarësisht periudhave të sigurimit. Ky shkrim vë në dukje të gjitha risitë e sjella në skemën e re të pensioneve dhe modalitetet e llogaritjes dhe vlerësimit të tyre në raport me backgraundin kontributiv të subjektit të siguruar.

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Sistemi i Sigurimeve Shoqërore është një nga institucionet bazë të politikës sociale që synon mbështetjen me të ardhura apo shërbime sociale. Për këtë, nevoja e zhvillimit të sistemit të mbrojtjes shoqërore dhe rimodelimi i skemave të sigurimit shoqëror me qëllim përshtatjen e tij me kërkesat në rritje të shoqërisë u pa i domosdoshëm. I ndërtuar mbi bazën e një filozofie të kontribuimit solidar të brezave, i tërë sistemi i sigurimeve shoqërore bazohet mbi marrëdhënien e ndërtuar mes shtetit dhe individit, ku shteti synon të konsolidojë politikat e mbrojtjes sociale në shërbimet e individit dhe ky i fundit të rrisë në këtë mënyrë besueshmërinë në skemat e mbrojtjes sociale. Reformat në fushën e sigurimeve shoqërore pas viteve 90 kanë rezultuar disi tranzitore, në kuptimin që ato nuk sollën një stabilizim të plotë të sistemit dhe modelim të tij sipas parametrave evropianë. Numri i vogël i personave të punësuar, kjo si rezultat i nivelit të lartë të papunësisë, si dhe mungesa e konsiderueshme e fondeve sociale çuan në dobësimin e skemës, kryesisht asaj të pensioneve dhe rritjen në nivele mjaft të ulëta të pensioneve të të gjitha kategorive. Konceptimi i një reforme të gjerë në fushën e sigurimeve shoqërore u pa si shumë dimensional dhe i fokusuar jo vetëm në ndërhyrjen e sistemit të përllogaritjes së përfitimeve me koeficientë të tjerë, por edhe në një shtrirje gjithëpërfshirëse të përfitimeve për kategoritë e subjekteve përfituese. Rimodelimi i skemës së sigurimeve shoqërore bëhet në një stad kur angazhimet e politikave sociale janë të drejtuara në nivele bashkëpunimi me shtete të fuqishme, nga pikëpamja e ndërtimit të skemave të mbrojtjes shoqërore me të cilët vendi ynë ka negociuar për njohjen e periudhave kontribuitive të shtetasve shqiptarë që punojnë atje. Qëllimi kryesor ishte krijimi i një skeme, e cila mund të mbajë veten me financime pa pasur nevojë për ndërhyrjen domosdoshmërisht të fondeve sociale dhe duke ulur sa të jetë e mundur barrën mbi Buxhetin e Shtetit, i cili vitet e fundit ka financuar në mënyrë të konsiderueshme fondin e pensioneve. Synimi drejt një skeme të pavarur dhe autonome nga pikëpamja e të ardhurave u shoqërua me ndërhyrjen në ligjin për sigurimet shoqërore, në ato dispozita që përcaktojnë mënyrën e kalimit të përfitimeve, përllogaritjen e tyre dhe shtrirjen te subjektet përfituese. Kështu pjesë e sistemit të përgjithshëm të sigurimeve shoqërore krahas sigurimit shoqëror të detyrueshëm, vullnetar, suplementar, për pensionet shtetërore të posaçme, bëhet edhe sigurimi për pensionet sociale, një përcaktim krejtësisht i ri, që shikohet si një mbrojtje që vetë skema merr përsipër t'u japë personave që kanë moshën për përfitimin e një pensioni, por nuk kanë periudhat e sigurimit. Shkohet kështu drejt një rikonceptimi të mbështetjes me të ardhura që nuk bëhet vetëm për subjektet që kanë paguar kontributet, por drejt një solidarizimi që del

përtej parimit të universialitetit që mbulon vetëm personat kontribuues. Kështu ka të drejtën e përfitimit të pensionit social çdo shtetas shqiptar, i cili ka mbushur moshën 70 vjeç, ka një qëndrim të përhershëm në Shqipëri të paktën për 5 vitet e fundit, nuk plotëson kushtet për asnjë lloj pensioni nga skema e detyrueshme e sigurimeve shoqërore dhe nuk ka të ardhura që përfiton nga ndonjë burim tjetër, ose të ardhurat që përfiton janë më të ulëta se të ardhurat që përfitohen nga pensioni social233. Me këtë përcaktim që bën ligji shihet qartë përqasja e sistemit drejt tre kolonave. Së pari "kolona 0" që i referohet mungesës tërësisht të periudhave të sigurimit dhe në të bëhet përfshirja e të gjithë të moshuarve pavarësisht nëse ata kontribuojnë ose jo Kjo është praktikë e shteteve të zhvilluara, të cilët kanë hartuar politika të mira sociale dhe gjithëpërfshirëse. Në disa prej këtyre vendeve si Belgjika, Suedia e Danimarka kjo skemë aplikohet për të gjithë të moshuarit mbi një moshë të caktuar (këtë përcaktim bën edhe ligji shqiptar), ndërsa disa të tjerë e aplikojnë pensionin social vetëm për të moshuarit e varfër që nuk kanë asnjë mjet për mbajtjen e vetes. Synimi i kësaj kolone është të ofrojë një nivel bazë të ardhurash për të gjithë ata të moshuar që nuk kanë vjetërsinë në punë, si kushtin e nevojshëm për përfitimin e një pensioni. Atyre u sigurohet kështu një nivel të ardhurash që u siguron minimumin jetik. Siç vihet re, standardi i parashikuar shkon drejt një konceptimi tepër vizionar duke pasur parasysh kushtet aktuale të vjeljes apo financimit të skemës kontributeve, e cila ka mjaft deficite për faktin e numrit të ulët të personave të siguruar që mbajnë fondin e pensioneve apo shpenzimeve të tjera të përfitimeve. Statistikat që e rendisin Shqipërinë ndër vendet më të prapambetura për sa i përket numrit të kontribuuesve flasin qartë për mosfunksionimin e skemës së vjetër të pensioneve, e cila në fakt mbulonte me të ardhura vetëm kontribuuesit. Mirëpo amendimet në ligjin për sigurimet shoqërore padyshim që duhen parë të lidhura ngushtë me ndërhyrje të tjera në ligje që rregullojnë periudhat e sigurimit të detyrueshëm dhe vendosin rregulla strikte për subjektet punëdhënëse si dhe të ligjit fiskal dhe atij tatimor për mënyrën e organizimit dhe të funksionimit me eficiensë të administratës tatimore. Politikat e punësimit nga ana tjetër kanë një rëndësi të posaçme, parë në këndvështrimin e rritjes së numrit të të punësuarve, ato kontribuojnë në mënyrë të drejtpërdrejtë në forcimin dhe konsolidimin e skemës kontributive si burimi bazë i financimit të pensioneve të mira dhe jo vetëm atyre që u akordohen kontribuuesve që mbushin moshën për përfitim por edhe personave që përfshihen në skemën e pensioneve sociale. Ndër të tjera hapja e vendeve të punës dhe rritja e nivelit të pagave ndihmon në uljen e borxhit publik. Sistemi reformues i sigurimeve shoqërore u propozua nga sistemet ndërkombëtare të financimit e në mënyrë të posaçme nga Banka Botërore e cila bëri edhe orientimet përkatëse. Ndërkohë skema e kontributit të detyrueshëm do të administrohet nga skema publike dhe do mbështetet si zakonisht në parimin e solidaritetit mes brezave. Kjo do të garantojë një pension bazë për përfituesit, ndërsa një pjesë tjetër kontributive do të administrohet nga operatorë të licencuar nga organet e shtetit në forma financimi me qëllim rritjet e të ardhurave në fondin e përgjithshëm të sigurimeve shoqërore. Si rezultat i këtyre parashikimeve do të bëhet i mundur ndërtimi i një skeme funksionale që prodhon pensione të mira dhe me standarde bashkëkohore. Pay as you go parashikon administrimin e vazhdueshëm të sigurimeve shoqërore nga skema publike e kjo e bën gjithnjë të besueshëm sistemin, megjithëkëtë kjo nuk është një risi e ndryshimeve të bëra në sistem, pasi kjo mënyrë e administrimit është parashikuar gjithmonë. Risia konsiston në aplikimin e saj paralel me përcaktimet apo kolonat që u përfolën me lart, përfshirë këtu edhe operatorët privat që parashikon ligji për të bërë të mundur investime prej tyre në ato zëra sigurimi që u mundësojnë përfituesve shtesa mbi pensionin në raport me kontributet që kanë likuiduar në institucionet private të pensioneve.

Ndryshimet në ligj konsistojnë në disa përcaktime të reja lidhur me ndryshimin e koeficienteve të përllogaritjes së pensioneve si dhe heqjen e kategorive të veçanta të përfitimit, të parashikuara këto me ligjin e mëparshëm. Kështu personat e siguruar që kanë plotësuar jo më pak se 15 vite sigurim shoqëror, kanë të drejtë për pension pleqërie kur arrijnë moshën e përcaktuar sipas ligjit, pensioni do të llogaritet sipas periudhave kontributive. Ndryshimet e reja në ligj nuk parashikojnë më pensionin e pjesshëm të pleqërisë, por ndryshojnë disa përcaktime për pensionin e reduktuar lidhur me koeficientin e reduktimit të pensionit të plotë të pleqërisë në 0.6 % në muaj. Pension të reduktuar kanë të drejtë të marrin të gjithë ata persona që plotësojnë periudhën e plotë të sigurimit të nevojshëm për pensionin e plotë të pleqërisë, por nuk kanë mbushur moshën e kërkuar nga ligji, kështu ligji iu

[233] Ligji nr.104/2014 "Për disa ndryshime dhe shtesa në ligjin nr. 7703, datë 11.05.1993, "Për sigurimet Shoqërore në Republikën e Shqipërisë". Nenet 1, 5/1

mundëson atyre të drejtën e përfitimit 3 vjet përpara mbushjes së moshës. Ky aplikim bëhet vetëm për subjektet që nuk ushtrojnë aktivitete private si të punësuar apo të vetëpunësuar, pra nuk sigurojnë të ardhura nga ndonjë veprimtari ekonomike. Në vazhdimësi, pensioni i pleqërisë do të llogaritet si raport i periudhës së sigurimit që ka realizuar personi me periudhën e sigurimit të kërkuar nga ligji, duke aplikuar edhe shtesat që do të jenë 1% për çdo vit sigurimi shumëzuar me bazën mesatare të vlerësuar që personat kanë arritur nëpërmjet kontributeve.234 Reformimi i pensioneve ka hequr pensionin tavan dhe bën të mundur një lidhje më organike mes kontributeve dhe përfitimeve. Kështu në sistemin kontributiv duhet ndërhyrë me mjete efikase për të bërë të mundur rritjen e kontributeve duke i nxitur subjektet e marrëdhënies së punësimit të bëjnë deklarime të sakta të pagave reale dhe të jenë pjesë e skemës kontributive me besimin se kontributet e derdhura do t'ju kthehen në masë të plotë në momentin kur iu lind e drejta e përfitimit. Krijimi i një besimi në transparencë të skemës së sigurimeve shoqërore padyshim që rrit numrin e kontribuuesve duke rritur në këtë mënyrë edhe të ardhurat në buxhet. Ndryshimet e reja në ligj prekin edhe moshën e daljes në pension duke e rritur atë si për burrat ashtu edhe për gratë. Rritja e moshës së daljes në pension është parashikuar në mënyrë progresive duke u kujdesur që të mos prekë ata persona që janë në prag të daljes në pension. Rritja e moshës së daljes në pension është ndryshuar duke u mbështetur edhe në faktorë të tjerë social, siç është për shembull rritja e jetëgjatësisë, por në të njëjtën kohë edhe mosha jo e re e nënshkrimit për herë të parë të një kontrate të ligjshme pune. Ndër të tjera deri tani për gruan përfituese është zbatuar diskriminimi pozitiv sa i takon moshës së daljes në pension, njohjes si periudhë e kontributeve të studimeve të larta, por edhe trajtimi në disa aspekte të rëndësishme të marrëdhënies së punës dhe vendit të punës. Rritja e moshës për pension prek gjithashtu gratë përfituese te të cilat do të zbatohet rritja progresive e moshës së daljes në pension deri në një barazim të plotë me burrin dhe njëkohësisht me këtë rritje do ketë barazim edhe të periudhave të sigurimit për të dyja këto kategori. Për herë të parë në Shqipëri aplikohet një trajtim i barabartë për sa i përket kushteve të përfitimit për efekt të pensionit të pleqërisë si për burrin ashtu edhe për gruan. Disa janë faktorët që çuan në një trajtim të barabartë për të dyja kategoritë, ndër të cilët sidomos rritja e jetëgjatësisë për përfitueset femra.

2. Ndryshimet në ligj prekin edhe sigurimet afatshkurtra. Pagesa për përfitimet afatshkurtra do të bëhet nga skema e sigurimit të detyrueshëm. Në rastet e paaftësisë së përkohshme në punë për shkak të sëmundjeve dhe barrëlindjes pagesat do të realizohen përmes fondit të kontributeve mbi bazën e përllogaritjeve të reja. E ardhura për sëmundje përfitohet nga personi i siguruar kur vërtetohet me raport mjekësor se ai është përkohësisht i aftë për punë. Paaftësia e përkohshme në punë nënkupton një pezullim të përkohshëm për punë të shtetasit, si rezultat i humbjes së aftësisë për shkaqe të ndryshme që zakonisht lidhen me sëmundje të ndryshme apo me aksidente në punë dhe që është i përkohshëm. Gjendja e paaftësisë nuk cenon kontratën e punës për të siguruarin, i cili ka një garanci të dyfishtë për sa i përket dispozitave mbrojtëse. Kodi i punës mbron punëmarrësin gjatë periudhës së paaftësisë së përkohshme duke i garantuar atij ruajtjen e pozicionit të punës dhe në të njëjtën kohë mbulimin me të ardhura për shkak të gjendjes së paaftësisë. Mbrojtja që ligji për sigurimet shoqërore i bën shtetasit ka të bëjë me dispozita që përcaktojnë, kushtet e lindjes së të drejtës, humbjen e të ardhurave, kushtet e përfitimit, koeficientet e llogaritjes së bazës së vlerësuar dhe shtrirja e të drejtës së pretendimit për përfitim.235 Të ardhurat që përfitohen si rezultat i gjendjes së paaftësisë, ligji i klasifikon si të ardhura për sëmundje, e ardhura për barrëlindje, e ardhura për kompensim të vendit të punës për gruan shtatzënë kur ndryshon vendin e punës, si dhe e ardhura për kompensim kur ndryshon vendin e punës për shtetasin që është në gjendje të përkohshme paaftësie.

a. Të ardhurat për sëmundje janë 70% e mesatares ditore të bazës së vlerësuar neto të gjashtë muajve të fundit nga data e lindjes së të drejtës. Ligji nuk përcakton se cili quhet momenti i lindjes së të drejtës, por përmes akteve të tjera nënligjore është [pranuar së do të konsiderohet moment i lindjes së të drejtës pikërisht ai i fillimit të raportës së paaftësisë i vlerësuar nga mjeku kompetent ose nga komisioni mjeko-ligjor që vlerëson paaftësinë në punë si dhe periudhën e ekzistencës së paaftësisë. Lidhur me përqindjet e përllogaritjes së të ardhurave, në ndryshim me përcaktimet e ligjit të mëparshëm, bëhet ndarja në dy kategori të personave përfitues përkatësisht duke u mbështetur në periudhat e sigurimit ose në vjetërsinë në punë të tyre. Për shtetasit që kanë deri në 10 vite punë, e

[234] Ligji nr. 104/2014 "Për disa ndryshime dhe shtesa në ligjin nr. 7703, datë 11.05.1993, "Për sigurimet Shoqërore në Republikën e Shqipërisë". Nenet 31,32.

[235] Kodi i Punës i Republikës së Shqipërisë

ardhura për sëmundje është 70 për qind e mesatares ditore të bazës së vlerësuar neto për gjashtë muajt e fundit nga data e lindjes së të drejtës, ndërsa për shtetasit që kanë mbi 10 vjet punë, e ardhura për sëmundje është 80% e mesatares ditore për këtë periudhë.236 Ligji bën një rregullim të ri edhe për periudhën kur përfituesi është i shtruar në spital. Kur përfituesi është i shtruar në spital dhe nuk ka njeri në ngarkim, të ardhurat për sëmundje janë 50% e mesatares ditore të bazës së vlerësueshme neto të gjashtë muajve të fundit nga data e lindjes së të drejtës. Të ardhurat që do të përfitohen për kompensim të vendit të punës kanë ndryshuar për sa i përket përqindjeve të përllogaritjes së tyre. E ardhura është e barabartë me diferencën ndërmjet pagës së vendit të punës së mëparshëm dhe pagës së vendit të ri të punës. Ky kompensim nuk mund të jetë më shumë se 50% e mesatares ditore të bazës së vlerësuar neto të gjashtë muajve të fundit nga data e lindjes së të drejtës. Siç vihet re, në përcaktimin e koeficienteve llogaritës të përfitimit ka një ulje të ndjeshme krahasuar me ligjin e vjetër, kjo në varësi të kategorive përfituese, bëhet kujdes në shpërndarjen e përfitimit edhe për shtetasit që kanë nevojë për përkujdesje në ambientet spitalore. Ligji nuk bën përcaktime si çfarë do të konsiderohet paaftësi e përkohshme në punë duke e lënë këtë në kompetencën e organeve përkatëse. Shenjat dalluese të paaftësisë së përkohshme në punë janë: Qenia i sëmurë apo i dëmtuar, kufizimi i përkohshëm i aftësisë për punë, që e pengon shtetasin të kryejë aktivitetin e tij të zakonshëm të prodhimit, varësia ndërmjet shkakut, sëmundjes apo dëmtimit dhe pasojës së kufizimit të aftësisë për të punuar.237 Njohja e dy kushteve të lartpërmendura dhe shkakut të tyre në varësi me organet përkatëse.238 Pjesëmarrja në sistemin e sigurimit shëndetësor përkatës është një kusht tjetër i rëndësishëm për sigurimin e shtetasit për sëmundje. Humbja e të ardhurave për shkak të paaftësisë është një gjendje e cila kërkon një mbrojtje të posaçme nga ligji sepse me këtë garantohet me kompensim për të ardhurat e humbura shtetasi i cili është bërë pjesë e një sistemi të detyrueshëm sigurimi. Për këtë edhe sistemet e sigurimit të shëndetit dhe të paaftësisë për shkak të sëmundjeve apo faktorëve të tjerë janë të detyrueshme dhe nuk lënë gjë në përcaktim të vullnetit të përfituesve. Duke qenë të tilla, shteti përcakton edhe modalitetet e kushteve të përfitimit, kur ndodh fakti ose gjendja për shkak të së cilës përfiton nga skema. Duke qenë kështu reformat në sistemin e sigurimeve shoqërore gjithnjë shoqërohen me kundërshti të grupeve të interesit, të cilët janë të ndjeshëm sidomos kur këto ndryshime prekin kushtet e përfitimit.239 Kusht bazë për përfitimin nga paaftësia e përkohshme është qenia në marrëdhënie pune, kështu mbi pagën e llogaritur mbi të ardhurat neto, gjithnjë duke pasur në konsideratë gjashtëmujorëshin për të cilin është likuiduar kontributi. Periudha e paaftësisë së përkohshme krahas mbrojtjes së vendit të punës konsiderohet edhe periudhë sigurimi për efekt të përfitimit të të ardhurave të tjera që rrjedhin nga ligji për sigurimet shoqërore. Kriteret e kohëzgjatjes së paaftësisë së përkohshme nuk janë përcaktuar në ligj por trajtohen në referencë të akteve të tjera. E ardhura ditore mesatare bazë e përdorur në përcaktimin e përfitimit për shkak të sigurimit për sëmundje, përdoret edhe për të gjitha rastet e tjera të sigurimit dhe të përfitimeve që rrjedhin nga marrëdhënia e punësimit. E ardhura mesatare e përdorur për llogaritjen e përfitimit përdoret ajo e cila është e pranishme apo e vlerësuar në momentin e lindjes së të drejtës, ajo vazhdon deri në përfundimin e gjendjes së paaftësisë edhe nëse kemi një kalim nga një lloj përfitimi në tjetrin. Përjashtimisht në rastet e kalimit në përfitimin e pensionit të invaliditetit llogaritjet bëhen sipas bazës së vlerësueshme të atyre periudhave sigurimi për të cilat bën fjalë skema e përgjithshme e caktimit dhe e llogaritjes së pensioneve të pleqërisë. Kjo në rastet kur kemi të bëjmë me invaliditet të përhershëm.

E ardhura për barrëlindje.

Sigurimi i grave gjatë shtatzënisë dhe nënave pas lindjes së fëmijës rregullohet me ligj. Dispozitat e reja flasin për kushtet e përfitimit të lejes së lindjes, kriteret e dhënies së saj si dhe subjektet përfituese. Shqipëria hyn në ato shtete të cilat e lidhin ngushtë periudhën e përfitimit për efekt të shtatzënisë me sigurimin e detyrueshëm. Mënyra e trajtimit me të ardhura për gratë shtatzëna për periudhën para dhe pas lindjes ndryshon nga një vend në tjetrin. Ka disa shtete me politika sociale të

[237]Prof. Igor Tomas "E drejta e sigurimit social" Tiranë 1997

[238]Kushtet këtu janë dy: a) të qenit i sëmurë, dhe b) i paaftë për punë, ndërkohë që lidhja mes gjendjes dhe shkakut dhe pasojës vërtetohet nga organi përkatës (mjeku). Igor Tomas

[239]Grupe interesi konsiderohen kryesisht grupimet sindikale të punëmarrësve që mbrojnë të drejtat e tyre që rrjedhin nga marrëdhënia juridike e punësimit.

zhvilluara që nuk vënë si kriter periudhën e sigurimit por e lidhin përfitimin me vendbanimin e gruas për një periudhë të caktuar që në shumë raste është minimale. Disa të tjerë nuk kanë kritere dalluese mes burrit dhe gruas dhe e akordojnë përfitimin të njërit prej bashkëshortëve. Disa shtete kanë një rregullim të posaçëm për situatat kur gruaja humb jetën gjatë lindjes së fëmijës dhe bëjnë në këtë rast kalimin e përfitimit te prindi babë. Vendet që bëjnë një rregullim shumë të mirë të periudhës së përfitimit për nënat para dhe pas lindjes së fëmijës janë ato Skandinave. Këto vende nuk e lidhin domosdoshmërisht periudhën e përfitimit me ekzistencën e një kontrate pune përmes të cilës gruaja të ketë likuiduar kontributet, ashtu sikurse nuk e kufizojnë përfitimin vetëm tek nëna. Ndryshimet e fundit në ligjin Shqiptar nuk mund të quhen reformuese në kuptimin e vendosjes së vlerave të përfitimit dhe as në trajtimin njësoj të subjekteve përfituese (bashkëshortëve). Kështu Shqipëria hyn në kategorinë e shteteve që e lidhin përfitimin domosdoshmërisht me periudhat kontributive. Kusht i domosdoshëm është që gruaja të jetë e siguruar për çdo rast përfitimi. Për çdo rast përfitimi ajo duhet të ketë 12 muaj sigurim shoqëror. I vetmi përjashtim nga rregulli për periudhat e sigurimit është rasti kur e drejta e pagesës për barrëlindjen e radhës ndodh Brenda 24 muajve nga data e lindjes së fëmijës së mëparshëm. Ky është një rregullim i ri në ndryshim nga ligji i vjetër të cilit i mjaftonte vetëm sigurimi prej 12 muajsh pavarësisht se gruaja mund të kishte përfituar njëherë raportin e barrëlindjes mbi bazën e këtij sigurimi. Ky përcaktim lë të zbuluar shumë kategori përfituese të cilat nuk kanë mundësi sigurimi për shkak të mungesës së vendeve të punës, ose ato përfituese që mund të kenë vite pune por në kohë më të largët se periudha e lindjes së të drejtës për përfitim e në këto kushte mbeten të pazbuluara. Ajo që bie në sy është zgjatja e periudhës së detyrueshme duke përfshirë një minimum të detyrueshëm 35 ditë përpara dhe 63 ditë pas lindjes së të drejtës. Për gruan që do të ketë në barrë më shumë se një fëmijë, periudha e përfitimit do të jetë 390 ditë kalendarike, duke përfshirë një minimum prej 60 ditë para dhe 63 ditë pas lindjes së fëmijëve.240 Lidhur me përllogaritjen e vlerës së përfitimit mund të themi se ligji Shqiptar është modeluar sipas legjislacionit të vendeve ku përfitimi për barrëlindje jepet si përqindje e caktuar e të ardhurave të realizuara nga nëna deri në momentin e marrjes së lejes së lindjes. Ndërhyrjet në dispozitat që mbrojnë gruan shtatzënë para dhe pas lindjes së fëmijës nuk sjellin ndonjë risi sidomos me rregullimin e disa situatave në të cilat mund të gjendet gruaja gjatë procesit të lindjes së fëmijës si dhe rritjes së tij. Në Evropë ka filluar të përdoret termi "leje prindërore" ose leje për rritjen dhe edukimin e fëmijës, pasi në varësi të rregullimeve ligjore në këtë fushë, në shumë vende kjo leje mund t'i akordohet si nënës, ashtu edhe babait të fëmijës.241 Lejen prindërore e rregullojnë me ligj vende si Italia, Belgjika, Franca, Gjermania etj., është një e drejtë që i njihet gruas në lidhje me kujdesin për fëmijën e lindur, ajo ka të drejtë të marrë me marrëveshje leje të jashtëzakonshme pa i lindur e drejta e zëvendësimit të pagës gjatë saj, pra ka të drejtë për një leje lindje shtesë. Gjithashtu legjislacionet perëndimore i kushtojnë një vëmendje të posaçme ndihmës financiare dhe materiale që u akordohen fëmijëve të sapolindur por edhe prindërve. Po ashtu shtetet e zhvilluara aplikojnë forma të konsoliduara të sigurimit material të nënës dhe fëmijës, madje edhe të krejt familjes me rastin e ardhjes në jetë të një krijese të re. Kuptohet që Ligji Shqiptar është shumë larg këtyre përcaktimeve, kjo për shkak të faktorëve specifik shqiptar të terrenit mbi të cilin ndërtohet sistemi i sigurimeve. Me gjithë pretendimet për një skemë më sociale, për shkak të faktorëve që përmendëm më lart, mund të themi se ndryshimet e bëra me amendime të dispozitave thelbësore mbi të cilat ndërtohet sistemi, sigurojnë ndërtimin e një strukture më solide sigurimi që garanton shtetasit në kthimin e kontributeve të likuiduara gjatë viteve në forma përfitimi të nevojshme në periudhat e plakjes apo pamundësisë për punë si rezultat i ndonjë sëmundje. Kjo garanci vjen si rezultat i ndërhyrjeve në rritjen e moshës së daljes në pension, njehsimin e pagës minimale kontributive me pagën minimale zyrtare dhe indeksimi i pagës maksimale kontributive me rritjen e pagës mesatare, si dhe vendosja e pensionit social për subjektet krejtësisht të pambuluara nga ndonjë skemë sigurimi.

[240] Ligji nr. 104/2014 "Për disa ndryshime dhe shtesa në ligjin nr. 7703, datë 11.05.1993, "Për sigurimet Shoqërore në Republikën e Shqipërisë". Neni 27

[241] Prof. Igor Tomas "E drejta e sigurimit social" Tiranë 1997

DR. SENADA REÇI - ASPEKTE TË DISPOZITAVE KOMUNITARE QË RREGULLOJNË USHTRIMIN E PROFESIONIT TË AVOKATIT NË BE DHE EFEKTET E JURISPRUDENCËS SË GJED.

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Abstract

In the European Single Market there are many EU nationals seeking to become active in other Member States as professional architects, doctors, lawyers, etc., but that free movement of the services they provide, does not applies in the spirit of the Treaty or directives in the heterogeneous reality of the national markets of the Union, which present different obstacles in the exercise of various professions, appropriate training, recognition of the qualification or not, depending on its assessment of compliance with the required qualifications for the same occupations to equivalent. A separate discussion on the doctrine and jurisprudence of the ECJ represents the status and recognition of qualifications of professionals lawyers in member states of the EU other than the country of origin of their qualifications. Analysis of sectoral provisions for lawyers in this paper, aims to assess the real situation of implementation evidenced by the jurisprudence of the ECJ, the issues that still demonstrate movement of professionals with national restrictions and obstacles since we are talking about a system of mutual recognition of qualifications.This paper aims to analyze some aspects of the regulation of the profession of lawyer and his practice in the EU Single Market specifically reflecting the impact and evolution of the free movement of lawyers under the influence of the jurisprudence of the European Court of Justice.

Dispozitat për profesionin e avokatit si profesion i rregulluar në mënyrë specifike në BE.

Në Tregun Unik Evropian ka shumë shtetas të BE-së që kërkojnë të aktivizohen në shtete të tjera anëtare si profesionistë arkitektë, mjekë, avokatë etj, por që qarkullimi i lirë, i shërbimeve që ato ofrojnë, nuk zbatohet sipas frymës së Traktatit apo direktivave, në realitetin e tregjeve kombëtare heterogjene të Bashkimit, që paraqesin pengesa të ndryshme në lidhje me ushtrimin e profesioneve të ndryshme, kualifikimit të duhur, njohjes së atij kualifikimi apo jo, në varësi të vlerësimit të përputhjes së tij me kualifikimin e kërkuar vendas për të njëjtat profesione për t'i ekuivalentuar. Një diskutim me vete në doktrinën dhe jurisprudencën e GJED-së përbën statusi dhe njohja e kualifikimeve të profesionistëve avokatë në shtetet anëtare të BE-së të ndryshme nga shteti i origjinës së kualifikimit të tyre. Analiza e dispozitave sektoriale per avokatet në këtë punim ka si qëllim vlerësimin e situatës reale të zbatimit që evidentohet nëpërmjet jurisprudencës së GJED-së, në çështjet që ende demostrojnë lëvizje të profesionistëve me kufizime e pengesa kombëtare duke qënë se flasim për një sistem reciprok njohjeje të kualifikimeve.

Direktiva 77/249 për lirinë e ofrimit të shërbimeve nga avokatët, efektet e zbatimit të saj në BE dhe njohja e profesionit të avokatit
Traktati përcakton vetëm kuadrin e përgjithshëm për lëvizjen e lirë të shërbimeve në shtetet e tjera anëtare dhe nuk rregullon rendin e dispozitës për lloje të ndryshme të shërbimeve". Një mungesë e tillë shihet edhe te lëvizja e lirë e avokatëve në ofrimin e shërbimeve juridike profesionale. Para zbatimit të një direktive të veçantë që të krijonte mundësinë për një avokat për të ofruar shërbime përkohësisht në një shtet tjetër anëtar, vendimet e GJED mbështeteshin në nenin 56 të TFBE që sanksionon lirinë për të ofruar shërbime, veçanërisht në çështjen Van Binsbergen (33/74) Çështja ka të bëjë me një shtetas hollandez që vepronte si këshilltar juridik për Van Binsbergen ne lidhje me procedimet përpara një gjykate hollandeze të sigurimeve shoqërore, dhe zhvendosi vendqëndrimin e tij nga Hollanda në Belgjikë, gjatë zhvillimit të procedurave. Atij iu tha se nuk mund të përfaqësonte

më klientin e tij duke qënë se sipas ligjit hollandez, vetëm personat e vendosur në Hollande mund të vepronin si këshilltarë juridike. Në këtë rast u bë një kërkesë paragjykimore në GJED, për të përcaktuar nëse neni 56 kishte efekt të drejtpërdrejtë dhe rregulli hollandez ishte në përputhje me të242. Sipas pikës 27 të këtij vendimi, paragrafi i parë i nenit 56 të TFBE dhe paragrafit të tretë të nenit 57 të TFBE, kanë efekt të drejtpërdrejtë dhe për këtë arsye mund të jenë të mbështetur para gjykatave kombëtare, të paktën për aq sa ata kërkojnë për të hequr çdo lloj diskriminimi ndaj një personi që ofron një shërbim për shkak të kombësisë së tij apo për faktin se ai banon në një shtet anëtar tjetër nga ai në të cilën shërbimi ofrohet243.

Profesioni i avokatit përbën një pozicion unik në mesin e profesioneve në Evropë, pasi: së pari, avokatët kanë një funksion të rëndësishëm në administrimin e drejtësisë dhe në ruajtjen e sundimit të ligjit; së dyti, avokatët luajnë një rol jetik në ekonomitë e Shteteve Anëtare dhe funksionimin e tregut të brendshëm të Bashkimit Evropian; së treti, profesioni i avokatit është vënë në shënjestër në mënyrë specifike pasi ai është i bazuar në sistemet ligjore kombëtare në të cilën avokatët e ardhshëm kualifikohen dhe ushtrojnë praktikat profesionale. Në përgjithësi, kjo do të thotë se avokatët janë të trajnuar dhe, prandaj, janë ekspertë në sistemet e tyre respektive ligjore, por kjo nuk dmth që domosdoshmërisht të kenë edhe njohuri të sistemeve të tjera ligjore. Kriteret e kualifikimit dhe shtrirjes (ose madje edhe ekzistencës) së aktiviteteve që mund të kryhen vetëm nga juristët ndryshojnë në masë të madhe në mes të Shteteve Anëtare, e kjo përbën një ndërlikim në realizimin e lëvizjes së lirë të avokatëve në Bashkimin Evropian244.
Pikërisht për arsye të këtyre specifikave profesioni ligjor i avokatit në BE rregullohet nga kuadri ligjor i mëposhtëm:
Direktiva 77/249 mbi lehtësimin e ushtrimit nga avokatët të lëvizjes së lirë të shërbimeve
Direktiva 98/5 mbi vendosjen e avokatëve
Direktiva 2005/36 mbi njohjen e kualifikimeve profesionale

Direktiva e Shërbimeve 77/249

Ajo rregullon ofrimin e shërbimeve nga një avokat i BE/ZEE245 dhe Zvicrës në një shtet tjetër anëtar, përveç atij në të cilin ai fitoi titullin e tij/saj - i njohur si shteti pritës, pa u regjistruar në Dhomën e avokatisë të atij shteti. Direktiva në 9 nenet e saj ka si qëllim të lehtësojë lëvizjen e lirë të avokatëve, por ajo nuk merret me vendosjen e tyre apo me njohjen e kualifikimeve. Ajo parashikon që një avokat duke ofruar shërbime në një shtet tjetër anëtar - si avokat "migrant" - duhet të bëje këtë nën titullin e shtetit të tij/saj të origjinës. Avokatët migrues mund të ndërmarrin aktivitete të përfaqësimit nën të njëjtat kushte si avokatët vendas, përveç kur kërkohet qëndrimi/rezidenca ose kërkesa për të qënë anëtar i Dhomës së Avokatëve të shtetit pritës. Megjithatë, në rastin e avokatëve migrantë që ofrojnë konsulencat ligjore apo mbrojtje të përkohshme para gjykatës mund t'u kërkohet të punojnë në bashkëpunim me një avokat që praktikon përpara autoritetit gjyqësor në fjalë. Për aktivitete të tjera, rregullat e sjelljes profesionale të shtetit të origjinës zbatohen pa paragjykim, për respektimin e rregullave të shtetit pritës, sidomos konfidencialiteti, konfliktet e interesit, marrëdhëniet me avokatët e tjerë dhe veprimtaritë e papajtueshme me profesionin ligjor.
Njohja e profesionit ligjor të avokatit në BE ka hasur në vështirësi që kanë marrë zgjidhje specifike. Për njohjen e titullit të avokatit janë parashikuar dy rrugë: njëra ka të bëjë me ndjekjen e regjimit të përgjithshëm të direktivës 2005/36 qe konsiderohet perqasja horizontale, e dyta ka të bëjë me

[242] Për më tepër shih : Johannes Henricus Maria van Binsbergen v Bestuur van de Bedrijfsverenigingvoor de Metaalnijverheid 33/74, ECR, [1975] kërkesë paragjykimore, në http://eurlex.europa.eu/smartapi/cgi/sga_doc?smartapi!celexplus!prod!CELEXnumdoc&numdoc=61974J0033&lg=en .
[243] BARRERE., Anne-Sophie, Free Movement of Lawyers within the European Union: the Position of Third Country Nationals, në http://www.consulegis.com/wp-content/uploads/2014/10/Free-Movement-of-Lawyers-within-the-European-Union-the-Position-of-Third-Country-Nationals.pdf
[244] Shih: Evaluation of the legal framework for the free movement of lawyers, Executive summary, Mastricht University, Zoetermeer, December 18, 2012, fq.3-5.
[245] ZEE Zona ekonomike evropiane përbëhet nga shtetet anëtare të BE (aktualisht 28) duke përfshirë edhe Islanden, Lihtenshtejnin dhe Norvegjinë, por edhe në Zvicër në bazë të Marrëveshjes Bilaterale me BE mbi lëvizjen e lirë të personave e nënshkruar më 21 qershor 1999. Në lidhje me Zvicrën, me referendum të datës 9 shkurt 2014 shtetasit zviceranë votuan për futjen e kufizimeve sasiore për imigracionin që vijnë nga tregu i vetëm.

zbatimin e direktivës 98/5 për vendosjen e avokatëve në një shtet anëtar të ndryshëm nga ai në të cilin i është dhënë kualifikimi.
Në lidhje me rrugën e parë duhet t'i referohemi nenit 14 (3) të direktivës që parashikon: "Për profesionet ushtrimi i të cilave kërkon një njohje të saktë të së drejtës kombëtare dhe në të cilat shërbimet dhe konsulenca dhe/ose asistenca në fjalë e së drejtës kombëtare përbën një element thelbësor e të vazhdueshëm të aktivitetit profesional", (duke marrë parasysh formimin për t'u pranuar në profesionin e avokatit), që zgjedhja mes një praktike përshtatjeje ose kalimi i një prove aftësie i lihet në dorë shtetit anëtar pritës, dhe jo të interesuarit246. Si shembull kemi rastin 118/09 Koeller të një shtetasi austriak të diplomuar në Austri, që ka marrë titullin avokat në Spanjë dhe që dëshiron ta njohë titullin në Austri në mënyrë që të ushtrojë profesionin e avokatit atje. Rasti Gebhard (55/94) ku Gebhard ishte një shtetas gjerman ndaj të cilit kishte procedime disiplinore nga Dhoma e Avokatisë së Milanos për ndjekjen e aktivitetit professional si avokat në Itali në baza të përhershme.dhe kishte krijuar/hapur dhomat e tij të avokatisë nën titullin avvocato, megjithëse nuk ishte pranuar si tillë nga Dhoma e Avokatisë së Milanos dhe megjithëse trajnimi, kualifikimet dhe eksperienca e tij nuk ishin njohur formalisht në Itali, përcaktoi dallimin në mes ofrimit të shërbimeve dhe vendosjes së avokatit sipas titullit të tij të origjinës/: "natyra e përkohshme e aktiviteteve në fjalë duhet të përcaktohet në dritëm, jo vetëm të kohëzgjatjes së ofrimit të shërbimit, por edhe rregullsisë së saj, periodicitetit apo vazhdimësisë247".

Ndërsa rruga e dytë e njohjes është sipas direktivës mbi vendosjen e avokatëve që do analizohet në vijim.

Në fakt po te flasim për praktikën në përgjithësi, nevojat për shërbimet ndërkufitare ligjore janë rritur që nga futja e Direktivave të avokatëve, për shkak të globalizimit, integrimit të tregjeve, migrimit të familjes, martesave ndërkufitare, tregtisë ndërkufitare dhe lëvizshmërisë dhe lehtësisë së ofrimit ndërkufitar të shërbimeve në një distancë nga përdorimi i teknologjisë, etj, dhe shumica e qytetarëve individualë dhe bizneset e vogla preferojnë një avokat që flet gjuhën e tyre, duke ndikuar kështu në rritjen e gamës së shërbimeve të ofruara nga juristët, por në disa vende të reja anëtare aftësia e avokatëve kompetente në çeshtjet ndërkufitare duket të jetë e pamjaftueshme, pjesërisht për shkak të faktit se arsimimi i tyre nuk fokusohet tradicionalisht në të drejtën krahasuese dhe evropiane. Studimet e një sondazhi të fundit të Universitetit të Mastrihtit përsa i përket tregut të shërbimeve ndërkufitare të përkohshme të avokateve, tregojnë se gjysma e avokatëve të cilat kanë ofruar shërbime të përkohshme nuk kanë hasur në ndonjë vështirësi që lidhen me praktikën e profesionit, por vështirësitë që hasen më së shpeshti nga të tjerët janë mungesa e ekspertizës profesionale në ligjin e një shteti tjetër anëtar dhe vështirësitë që lidhen me gjuhën. Rreth një në çdo dhjetë avokatë ka hasur vështirësi që lidhen me deontologjinë248 dhe mungesën e të kuptuarit dhe pranimit nga ana e profesionistëve të tjerë, të tilla si gjykatësit dhe avokatët vendorë, e për shkak të zhvillimeve në rregulloret e zbatueshme kombëtare të avokatëve në shtete të ndryshme anëtare, dallimet midis rregulloreve dhe vështirësitë që lidhen me deontologjinë, janë rritur dyfish. Ekzistojnë tri lloje të problemeve që lidhen me deontologjinë e dyfishtë:

- nuk është gjithmonë e qartë se cilat rregullore zbatohen, duke rezultuar në paqartësi ligjore, rreziqe dhe kostot shtesë për avokatët në përcaktimin se çfarë rregullore zbatohen;
- ka dallime në deontologjinë ndërmjet shteteve anëtare që rezultojnë në disavantazhe konkurruese për avokatët që punojnë në një nivel ndërkufitar;

[246] Free movement of lawyers në http://international.lawsociety.org.uk/eu/practise ; Daniele.L., Diritto del Mercato Unico Europeo, seconda edizione, Giuffre Editore 2012, fq.212-213; Council Directive 77/249/EEC of 22 March 1977 to facilitate the effective exercise by lawyers of freedom to provide services ne http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31977L0249:EN:HTML .

[247] Për më tepër shih: BARRERE., Anne-Sophie, Free Movement of Lawyers within the European Union: the Position of Third Country Nationals, fq.11, në http://www.consulegis.com/wp-content/uploads/2014/10/Free-Movement-of-Lawyers-within-the-European-Union-the-Position-of-Third-Country-Nationals.pdf dhe Craig.P.,De Burca.G.,EU law text cases and materials, fifth edition, Oxford University Press 2011, fq.774-775.

[248] Kjo do të thotë se dy rregulla sjelljeje janë të zbatueshme për avokatet që ofrojne shërbime në një shtet tjetër anëtar: ato të përcaktuara nga shteti pritës dhe ato të përcaktuara nga Shtet Anëtar I origjinës .

- në disa raste është e pamundur që të pajtohesh me deontologjinë e dyfishtë, sepse rregullat janë kontradiktore249.

Kjo tregon se vështirësitë me këtë përballje janë për klientët nga njëra anë dhe për avokatët nga ana tjetër, të cilët për arsye të probleme të sapo analizuara mund të hezitojnë në ofrimin e shërbimeve ndërkufitare të avokatisë, duke mos realizuar kështu integrimin e tyre nderkufitar ne ushtrimin e profesionit te lirë. Prandaj mund të thuhet me saktësi se parashikimi në direktiva i lëvizjes së lirë të shërbimeve të avokatëve nuk është absolut, por në varësi të mundësive të ushtrimit të profesionit në sisteme të ndryshme që pasqyrojnë realitete të ndryshme të pershtatjes për ushtrimin e një profesioni delikat siç është ai i avokatisë.

Direktiva 98/5 për vendosjen e avokatëve dhe efektet në zbatimin komunitar.

Në vitin 1998 u miratua Direktiva 98/5 e Këshillit Evropian mbi të drejtën e vendosjes për avokatët të cilët kanë marrë kualifikime profesionale në shtetin anëtar të origjinës dhe dëshirojnë të praktikojnë profesionin e tyre mbi një bazë të përhershme në një shtet tjetër anëtar.
Direktiva vlen edhe për avokatët e punësuar dhe të vetëpunësuar në Mbretërinë e Bashkuar dhe tiparet kryesore të kësaj Direktive janë:
- Avokatët e vendosur në një shtet tjetër anëtar duhet të përdorin titullin profesional qe kanë marrë në shtetin anëtar të origjinës. Ky kufizim u gjykua i nevojshëm në mënyrë që të shmangte konfuzionin midis vendeve anëtare për kualifikimin sipas shtetit anëtar të avokatëve dhe kualifikimin e kërkuar në shtetin anëtar pritës.Titulli profesional duhet të shprehet në gjuhën zyrtare të shtetit anëtar të origjinës.
- Avokatët të cilët dëshirojnë të vendosen në një shtet tjetër anëtar duhet të regjistrohen tek autoritetet kompetente të shtetit anëtar pritës.
- Ata mund të japin këshilla ligjore në të dy ligjet e shtetit anëtar të origjinës dhe shtetit anëtar pritës, si dhe së drejtës së BE-së dhe të drejtës ndërkombëtare. Nëse një shtet anëtar pritës rezervon aktivitete, të tilla si, administrimi i pronave apo krijimi dhe transferimi i interesave të tokës për kategori të caktuara të avokatëve, dhe në shtete të tjera anëtare këto aktivitete nuk kryhen nga avokatët, një shtet anëtar pritës është i lejuar për të përjashtuar ushtrimin e profesionit të avokatit sipas një titulli profesional të marrë në shtetin e origjinës për kryerjen e këtyre aktiviteteve. Ky kufizim shpjegohet dhe nga fakti se Direktiva nuk ndikon noterët të cilët, në shumë vende të BE-së, kanë të drejta ekskluzive në këto dy fusha. Më tej, Direktiva u kërkon avokatëve për t'u shoqëruar në gjykatë nga një avokat lokal në situata ku vetëm një avokat mund të paraqitet para gjykatës në fjalë.
- Për avokatët që praktikojnë profesionin në një shtet anëtar pritës zbatohen rregullat e sjelljes personale dhe rregullat e mirësjelljes të shtetit anëtar të origjinës dhe të atij shteti anëtar pritës.
- Autoritetet kompetente të një shteti anëtar pritës kanë të drejtë të sjellin procedimet disiplinore ndaj avokatëve nga një shtet tjetër anëtar i regjistruar në shtetin anëtar pritës të cilët nuk kanë përmbushur standardet profesionale që kërkohen nga ky shtet anëtar nën të njëjtat kushte që zbatohen për avokatët e kualifikuar në shtetin anëtar pritës.
- Direktiva ka rishikuar gjithashtu në thelb, kushtet sipas të cilave avokatët nga një shtet anëtar mund të kualifikohen si avokatë në një shtet tjetër anëtar pritës. Ka dy mënyra të ndryshme:
1- Së pari, në qoftë se ata në mënyrë efektive dhe rregullisht ndjekin praktikën e tyre në ligjin e shtetit anëtar pritës për tre vjet;
2- Edhe në qoftë se ata praktikojnë të drejtën e shtetit anëtar të origjinës apo të drejtën e BE-së apo të drejtën ndërkombëtare, ato mund të marrin kualifikimin në shtetin anëtar pritës me kusht që të kryejnë aktivitetet e tyre profesionale në atë shtet për tre vjet dhe të kënaqin autoritetet e shtetit anëtar pritës të kompetencës së tyre në lidhje me të drejtën e atij shteti anëtar.
- Një avokat i regjistruar në një shtet anëtar pritës sipas titullit profesional të shtetit të origjinës, mund të praktikojë profesionin si avokat me pagesë tek një avokat tjetër, ose firmë, shoqëri, ndërmarrje publike ose private me qëllim që shteti anëtar pritës të lejojë avokatët të regjistrohen sipas titullit profesional të fituar në atë shtet

[249] Shih: Evaluation of the legal framework for the free movement of lawyers, Executive summary, Mastricht University, Zoetermeer, December 18, 2012, fq.6-7.

Direktiva përbën një harmonizim të plotë të kushteve për ushtrimin e të drejtës së vendosjes për avokatët. Rrjedhimisht, një shteti anëtar nuk i lejohet të vendosë kushte të mëtejshme në zonën e mbuluar nga Direktiva, dhe kjo është deklaruar qartë në rastin 506/04 Graham J. Wilson v ordre des Avocats du BARREAU de Luxembourg, ku avokatët nga shtete të tjera anëtare përveç Luksemburgut duhet të kalonin një test gjuhësor si një parakusht i regjistrimit. GJED-ja ka qenë shumë e qartë në këtë pikë dhe ka deklaruar se kushti i vetëm për regjistrimin është prezantimi nga aplikuesi ndaj autoriteteve kompetente të shtetit anëtar pritës e një çertifikatë që vërteton për regjistrimin të autoritetet kompetente të shtetit anëtar të origjinës. Po këtu Gjykata, sqaroi më tej se organi i apelit kundër vendimeve që refuzojnë regjistrimin duhet të konsiderohet si një gjykatë, brenda kuptimit të nenit 267 TFBE (ish-neni 234 TKE). Natyrisht, Luksemburgu ishte shumë i pakënaqur me Direktivën dhe e sfidoi ligjshmërinë e saj në rastin 193/05 Luxembourg v Commission, ku u konstatua nga GJED shkelja e së drejtës së BE-së duke imponuar, në kundërshtim me dispozitat e direktivës mbi vendosjen e avokatëve, kërkesat e mëposhtme për avokatët nga shtetet e tjera anëtare që dëshirojnë të praktikojnë në Luksemburg:
- kërkesat në lidhje me njohuritë e gjuhës;
- ndalimin për të qenë një person i autorizuar që të pranojë shërbimin në emër të shoqërive;
- dhe detyrimin për të prodhuar çdo vit një çertifikatë që vërteton regjistrimin tek autoritetet kompetente në shtetin anëtar të origjinës250.

Pra direktiva mbi vendosjen e avokatëve shohim se ka si qëllim lehtësimin e ushtrimit të profesionit të avokatit në një shtet tjetër anëtar nga shteti në të cilin ai ka marrë kualifikimin profesional duke i lejuar atij:
- ushtrimin e profesionit me titull të përkohshëm për një afat maksimal prej 5 vitesh;
- përdorimin e titullit të shprehur në gjuhën apo njërën nga gjuhët zyrtare të shtetit anëtar të origjinës;

Direktiva 2005/36 mbi njohjen e kualifikimeve profesionale

Pas 3 vitesh të provës së ushtrimit të një aktiviteti profesional efektiv e të vazhdueshëm në lidhje me të drejtën e shtetit anëtar pritës profesionisti i lirë fiton të drejtën të ushtrojë në shtetin anëtar pritës përfundimisht dhe me titullin e atij shteti pritës. Aspekti i rëndësishëm i kësaj rruge është se në këtë rast nuk është e nevojshme të kalohet një provë përshtatjeje siç është parashikuar tek direktiva 2005/36. Në këtë kontekst mund të përmendim çështjen 313/01 Morgenbesser (vendim i vitit 2003) që ka të bëjë me një zonjë titullare e një LLM në drejtësi të lëshuar nga një universitet francez që kërkonte në Këshillin e Urdhrit të avokatëve të Gjenovas (Itali) të regjistrohej në regjistrin e praktikantëve avokatë me qëllim që të pranohej në praktikën e detyrueshme për të dhënë provimin e avokatit. Refuzimi nga ky këshill i ishte bërë me arsyetimin se diploma e saj franceze nuk ishte njohur asnjëherë si ekuivalente me diplomën italiane në drejtësi. GJED-ja, duke konstatuar se aktiviteti i avokatit praktikant nuk përbën një profesion të rregulluar dhe nuk hyn në fushën e zbatimit te asnjë direktive në fushën e njohjes së diplomave, deklaroi se : i takon autoriteti kompetent të verifikojë në përputhje me parimet e sanksionuara nga Gjykata në çështjet Vlassopulou dhe De Bobadilla që si, dhe në çfarë mase, njohuritë e vërtetuara nga diploma e lëshuar nga një shtet anëtar ose kualifikimet dhe eksperienca profesionale e bërë aty, si dhe eksperienca e marrë në shtetin anëtar ku kandidati kërkon të regjistrohet, përmbushin, qoftë edhe pjesërisht, kushtet e kërkuara për pranimin në aktivitetin në fjalë251.

Pra sipas GJED-së është në kundërshtim me të drejtën komunitare, refuzimi i bërë nga autoriteti kombëtar në fjalë, pasi kufizon të drejtën e ushtrimit të profesionit të avokatit bazuar në një argument të papranueshëm të mosnjohjes së një diplome të një shteti anëtar si ekuivalente me një diplome të një shteti tjetër anëtar, kur diçka e tillë nuk parashikohet në asnjë normë komunitare, përkundrazi ndalohet.

[250] Kaczorowska.A.,European Union Law, Second edition published, 2011, by Routledge, fq.735-737.
[251] Daniele.L., Diritto del Mercato Unico Europeo, seconda edizione, Giuffre Editore, 2012, fq.212-213.

Në këtë analizë të direktivës për vendosjen na intereson të dimë edhe ca fakte konkrete për zbatimin e saj në praktikë, pasi ajo qëllim ka harmonizimin e rregullave të saj në të gjithë komunitetin në lidhje me vendosjen e avokatëve dhe studimi i Universitetit te Mastrihtit na tregon se pothuajse një e treta e avokatëve që janë vendosur në një shtet tjetër anëtar, nuk përjetojnë vështirësi që lidhen me ushtrimin e profesionit të avokatit, por vështirësi që lidhen me sigurimin e dëmshpërblimit profesional, vështirësi për shkak të kërkesave të vazhdueshme për të qëndruar të regjistruar në dhomën e avokatisë se vendit të tyre, vështirësi që lidhen me deontologjinë e dyfishtë (dmth.te shtetit anetar te origjines dhe shtetit anetar pritës). Një problem i veçantë është se është e paqartë nëse Direktiva zbatohet për situatat kur një jurist nga një shtet anëtar që ndalohet të bëjë mbrojtje ligjore në vendin e tij të origjinës mund të vendoset si një avokat i brendshëm në një tjetër Shtet Anëtar në të cilin mbrojtja është e lejuar.

Harmonizimi potencialisht mund të ndihmojë në mënyrë të konsiderueshme lëvizjen e lirë të avokatëve duke zvogëluar dallimet në sistemet ligjore të te gjithë shteteve anëtare nga perspektiva e përmbajtjes. Në nivel evropian, ka pasur masa harmonizuese të konkretizuara në një numër zhvillimesh që ndoshta mund të ndikojnë në sistemin e lëvizjes së lirë të avokatëve, përmendim përpjekjet e bëra nga Bashkimi Evropian për të krijuar një urdhër evropian për procedurën e pagesës, direktiven për ndihmë juridike në kontestet ndërkufitare, ndërsa në nivel kombëtar ka qenë një numër i reformave, nga të cilat zhvillimet në lidhje me strukturat e biznesit që janë veçanërisht të rëndësishme për lëvizjen ndërkufitare të avokatëve dhe firmave të ligjit. Direktiva 98/5 përmban një nen mbi praktikën e përbashkët (neni 11) i cili lejon shtetet anëtare të ndalojnë avokatët të praktikojnë profesionin kur janë anëtarë të një grupimi që përfshin anëtarë që nuk janë avokatë. Në fakt në shumicën e shteteve anëtare, menaxhimi dhe pronësia e firmave të ligjit nuk janë të lejuara për jo-avokatët, megjithatë, kohët e fundit një numër i shteteve anëtare kanë lejuar disa forma të jo-avokatëve të përfshihen në firma të ligjit. Në Angli dhe Uells, për shembull, ekziston mundësia, sipas kushteve të caktuara, për një jo-avokat e drejtimit të praktikave multidisiplinare, praktikat që lejohen në një farë mase në Skoci, Itali, Spanjë dhe Danimarkë. Meqë këto lloje të praktikave mbeten ilegale në shumicën e shteteve anëtare dhe shumica e dhomave të avokatisë janë kundër futjes së tyre, studiuesit mendojnë se masat mbrojtëse në Nenin 11 të Direktivës në fjalë janë, në përgjithësi, të përshtatshme, por duhet të sqarohet nëse e drejta e shtetit pritës për të parandaluar një avokat të veprojë në emër të një grupimi, siç thuhet në nenin 11 (5), është në vetvete një e drejtë ose nëse ushtrimi i të drejtës së tillë duhet të përmbushë testin-Gebhard. Opsioni i fundit duhet të jetë në përputhje me nenin 15 të Direktivës së Shërbimeve. Disa shtete anëtare kanë futur rregullore të firmave të ligjit përveç atyre ekzistuese të avokatëve bazuar në rregullat individuale. Në Angli dhe Gjermani disa firma kanë dhënë tituj avokat. Është e paqartë nëse këto firma janë në gjendje të bëjnë përdorimin e Direktivave të avokatëve. Hulumtuesit sugjerojnë për të zgjeruar fushën e Direktivave në mënyrë që firmat e ligjit të mund të përdorin liritë e parashikuara 252. Ne te ardhmen vlen per tu pare se si institucionet komunitare do te kontribuojne ne lehtesimin e levizjes se lire te avokateve si profesioniste te lire qe japin sherbimet e tyre juridike te mbrojtjes pa kufizime te fshehta apo diskriminim por trajtim te barabarte me vendasit ne shtetin anetar te BE ku ata ndodhen apo jane vendosur.

[252] Shih: Evaluation of the legal framework for the free movement of lawyers, Executive summary, Mastricht University, Zoetermeer, December 18, 2012, fq.8.

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DR. EMIRJETA BEJLERI, MIRELA GERDOCI, MBA – MODELI I BIZNESIT "SHQIPERIA TRIKOT SH.P.K"

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Abstrakt

Për të pasqyruar ndryshimet që janë bërë në industrine e fasoneve zgjodhem per rast studimi një kompani të industrisë fason, siç është "Shqipëria Trikot sh.p.k", në Shkodër, e cila prodhon për "Cotonella Spa" në Itali. Objektivi i këtij studimi është të pasqyrojë sesi ndryshimi i modelit të të bërit biznes për këtë kompani fason, ka ndryshuar zinxhirin e furnizimit, duke e bërë atë gjithnjë e më të integruar dhe duke shtuar vlerë. Gjithashtu zinxhiri i integruar i furnizimit ka shkaktuar ndryshime në një sërë elementesh si: prodhimi, të ardhurat, kapaciteti, furnitorët dhe produktet, por më e rëndësishmja ka ndikuar tek konkurrueshmëria e "Shqiperia Trikot sh.p.k", duke e bërë atë gjithnjë e më vitale për suksesin e "Cotonella S.p.A",duke i dhënë asaj avantazh konkurrues dhe qëndrueshmeri.

Abstract

In order to reflect the changes made in the fasson industry we have chosen as a case study a company in the fasson industry as "Albania Trikot sh.pk" in Shkodra, which produces for the "Cotonella Spa" in Italy. The objective of this study is to reflect that change and progress of the new way of doing business for this company has changed the supply chain drastically, making it more integrated and adding value. Also integrated supply chain has caused changes in a variety of elements, such as production, income, capacity, suppliers and products, but more importantly has influenced competitiveness "of Trikot sh.pk Albania", making it increasingly vital to the success of "Cotonella SpA", giving it a competitive advantage and sustainability.

Hyrje

Ekonomia botërore në ditët e sotme karakterizohet nga një konkurrencë e egër globale. Për të patur sukses në tregjet konkurruese që përbëjnë ekonominë e sotme, kompanitë duhet të mësojnë për të lidhur zinxhirët e tyre të furnizimit me kërkesat e tregjeve të cilave u shërbejnë. Performanca e zinxhirit të furnizimit është tani një avantazh konkurrues për kompanitë që të shkëlqejnë në këtë fushë në qendër të analizës konkurruese të jenë SC dhe rrjetet e përbëra nga sipërmarrje të shumëfishta (Chen dhe Paulraj, 2004: Miles dhe Snow, 2007).Ka shumë përkufizime të ndryshme të SCI nga studiues të shumtë. Lawrence dhe Lorsch (1986) e përkufizojnë SCI si "cilësia e gjendjes së bashkëveprimit që ekziston midis departamenteve e cila është e nevojshme për të arritur unitetin e përpjekjeve nga kërkesat e mjedisit". Përkufizimi i referohet vetëm integrimit të brendshëm të një kompanie apo sipërmarrjeje. Autorë të ndryshëm, si për shembull: Bowersox e Morash (1989) argumentojnë se SCI do të thotë të integrosh marrëdhëniet, veprimatarinë, funksionet, proceset dhe lokacionet përgjatë të gjithë anëtarëve të kanalit në zinxhirin e furnizimit. Bowersox et al (1999) e kanë konceptuar SC në kontekstin e gjashtë llojeve përberës: integrimi i furnizuesve integrimi i teknologjisë integrimi i konsumatorit, integrimi i brendshëm, integrimi planifikimit, integrimi i sistemeve të matjeve dhe integrimi i marrëdhënieve furnizues konsumator Stevens (1989) propozoi se SCI ka të bëjë veçanërisht me planifikimin, bashkërendimin, bashkëveprimin dhe kontrollin e mallrave, duke përfshirë të gjithë nivelet, strategjike, taktike dhe operacionale të pjesëve dhe materialeve të përfunduar nga furnizuesit deri tek konsumatorët përfundimtar. Ndërkohë, Vickery et al. (2003) thotë se SCI duhet dhe mund të menaxhohet strategjikisht, taktikisht dhe operacionalisht nga një sistem i vetëm, e jo nga nënsisteme të cilat ofrojnë optimizimin e cdo kompanie individuale të cilat janë pjesë integruese të zinxhirit të furnizimit. SCI mund të përkufizohet si një përqasje menaxheriale e cila lufton për një bashkërendim dhe bashkëpunim më të madh midis partnerëve të SC, në përpjekje për të ruajtur konkurrueshmërinë e firmës.

Fazat e zhvillimit të “Shqipëria Trikot sh.p.k

Faza e parë, është viti 1995 deri në vitin 1998, ku kanë punuar në një ndërmarrje të vogël në hapësirë dhe në numër punonjësish nga 100-120 veta, ku SHTR funksinonte si një fason i mirëfilltë. Në Cotonela bëhej prerja e materialit, pregatitja e PL me të gjithë aksesorët, ndërsa qepja realizohej nga “Shqiperia Trikot në bazë të skedave të punës të cilat realizohen nga modelistet e stafit të disagni-t. Në këtë mënyrë themi se prodhonte me material porositësi 100 % për eksport.

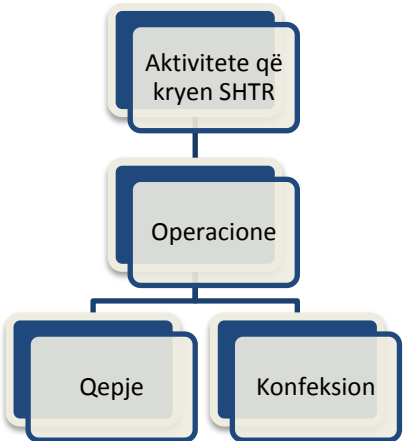
Faza e dytë, nga viti 1998 deri më 2006 është marrë vendimi për blerjen e një ndërrmarrjeje më të madhe në të njëjtën zonë industriale dhe me të njejtat kushte prodhimi, por me një kapacitet prodhimi shumë më të madh, duke parë performancë të lartë dhe eficente të “Shqipëria Trikot”. Gjatë kesaj faze numri të punësuarve është rritur në mbi 450 punetorë, si rrjedhoje rritet dukshëm numri i produkteve të gatshme të prodhuara. Kjo fazë shënon rritje të performancës në trajnim të përsonelit vendas nga menaxherë të huaj, rritje te sasive të prodhuara si rezulatat i rritjes së numrit të të punësuarve.

Faza e tretë, nga viti 2006-2009 është konsideruar edhe faza më e rëndësishme dhe me ndryshimet më rrënjësore për SHTR. Pas një periudhe disavjeçare bashkëpunimi mes “Cotonella” dhe SHTR merret vendimi që të ndryshohet model i të bërit biznes, duke kaluar nga një fason tradicional, ku SHTR bënte qepjen e produkteve me material porositësi 100% për eksport, të kalohet në një paketë me të plotë të zinxhirit te vlerës, ku tani logjistika, importimi i marrë nga porositësi dhe eksportimi i produktit të gatshëm të realizohet nga SHTR ndërsa qepja nga nënkontraktorë, të cilët klasifikohen furnitorë vetëm për vlerën e re të krijuar.

Faza e katërt, nga 2009-ta e në vazhdim. Nëvitin 2009përfundoi investimi më i rëndesishëm për “Cotonella” dhe SHTR, në zonën industriale të qytetit tëtë Shkodres. Investimi kap shifren mbi pesë milion euro, kjondërtesëdo të shërbejë për magazinimin e produkteve (lëndeve të para) të importuara dhe të produkteve të gatshme të prodhuara në Shqipëri. Në ndërtesën e re përballë fermentimit do të funksionojnë magazinat dhe zyrat e shoqërisë, ku importi i material porositësit bëhet në metrazhe dhe proçesi i prerjes realizohet tek SHTR, magazinimi i lëndës së parë dhe kontrolli nga laboratori, i posaçëm, magazinimi i produktit të gatshëm, kontrolli përfundimtar i produktit si dhe logjistika.Ekzistojnë tre reparte të mëdha, lendë të parareparti i prerjes si dhe reparti logjistikës.

Faza e pestë, përfshin hapat e parë kur kompania fillon të tregtojë produktet e gatshme në tregun shqiptar,të drejtën e tregtimit të produkteve në tregun shqiptar e ka nënkontraktori SHTR, MADISH sh.p.k. Që nga viti 2010-të ka vazhduar me hapa gradual ofrimi i këtyre produkteve mjaft cilësore dhe me çmime të arsyeshmenën etiketën “Made in Albania” dhe markën e “Cotonella” edhe për konsumatorët shqiptarë. Në bazë të informacioneve themi se rezulton me sukses tregtimi i këtyre produkteve dhe se konsumatorët shqiptarë po përgjigjen mjaft pozitivë ndaj tyre. Këto produkte përveçse shiten publikut të gjerë, mund të blihen pranë hipermarketeve të mëdha e në njësi të tjera tregtare, falë zgjerimit të rrjetit të shitjes së këtyre produkteve në Shkodër, Vlorë, Tiranë, Korçë e qytete të tjera brenda vendit si dhe jashtë vendit psh: Kosovë, Mal i Zi.

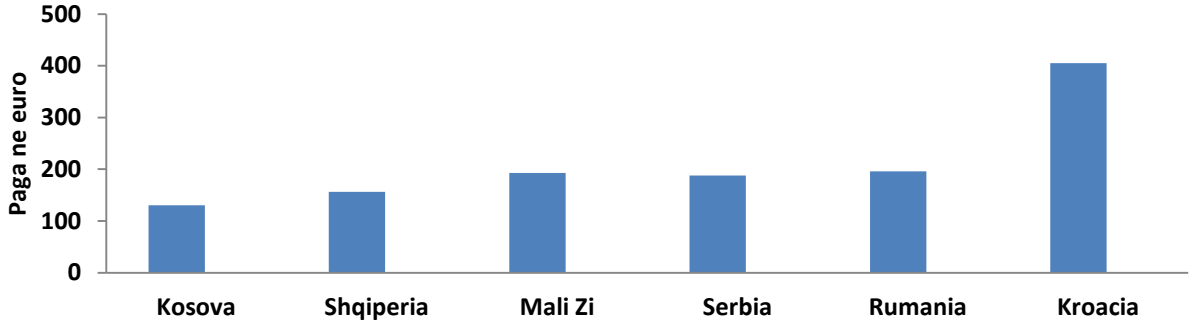
Modeli i biznesit “Shqipëria Trikot sh.p.k” nga 1995-2006



Në vitin 1996 “Cotonella S.p.a.” merr vendimin që të decentralizojë prodhimin e produkteve. Për këtë decentralizim zgjidhen 3 shtete të ndryshme, Shqipëria, Rumania dhe Serbia, të cilat do të funksiononin si fasone të mirëfillta. “Cotonella” vendos transferimin e prodhimit në Shqipëri dhe pikërisht në Shkoder për këto arsye:

1- Kushtet e favorshme ekonomiko-politike
2-Distanca e afërt me Italinë
3-Decentralizimi i prodhimit sjell lehtësi në logjistikë duke përshpejtuar dorëzimin e produkteve tek klientët përfundimtar, në sasinë e kërkuar dhe në kohën e duhur, duke shmagur sa më shumë që të jetë e mundur vonesat e dorëzimit të mallit.
4-Njohja e mirë e kulturës dhe e gjuhës së vendit fqinj, sepse në zonat urbane rreth 90% e popullsisë flet gjuhën italiane.
5-Italia dhe Shqipëria kanë qenëndër vite bashkëpunëtore të suksesshme të marrëdhënieve tregtare.
6-Kosto e ulët prodhimi, pagat e fuqisë punëtore shumë më të ulta se në Itali dhe në shumë vende te tjera të Ballkanit, cilësi e lartë prodhimi dhe afat i lëvrimit të mallit.

Grafik 1. Paga minimale në disa shtete të Ballkanit.



Burimi: Gazeta Panorama viti 2013

Duke qenë se ishte në fillimet e saj nga "Cotonella S.p.A." merret vendimi që numri i operacioneve që do të realizohej në "Shqipëria Trikot" të ishte i vogël. Si një fason tradicional, këtu do të realizohej qepja e produkteve dhe konfeksioni.
Kompania "Cotonella" realizonte të gjitha aktivitetet primare të zinxhirit të furnizimit. Planifikimin e sasive që do të prodhoje të cilën e realizonnë një analizë tregu për sasinë e produkteve që do të prodhohen për periudhat në vazhdim, duke u bazuar në parashikimete viteve të kaluara. Një peshë të konsiderueshme të produkteve që do të prodhohen e zënëporositë paraprake të bëra nga markat private përproduktet e tyre. Kontrolli i të gjithë aksesorëve të lëndës së parë bëhet në laborator, në kompanikonform standarteve të larta italiane dhe të direktivave të ISO 9001:2008.
Departamenti i dizanjit realizonte modelet dhe më pas prerjen e produktit në departamentin e prerjes, pas përfundimit të këtij proçesi bëhet dërgimi i materialit të prerë në Shqipëri, Serbi dhe Rumani. Puna e ndarë sipas pl të vendeve pritëse dërgohet bashkëngjitur me një skemë të detajuar e cila tregon mënyrën sesi duhet të qepen, rradhën e kryerjes së punës, sasinë etj dhe të gjithë aksesorët e nevojshëm për qepje e konfeksionim.

I gjithë proçesi punës monitorohej nga teknikë italianë të dërguar nga Kompania mëmë për të kontrolluar dhe verifikuar që proçesi realizohej sipas skemës së dhënë dhe standarteve të cilesisë së kërkuar në periudha të caktuara. Proçeset e punës tëSH. T. R në fillimet e saj, kur kishte fillimisht 100-120 punonjës deri në 1998 që arriti në 450 punëtorë, konsistonin në procesin e qepjes dhe konfeksionimit të mallit. Në vitin 2001 "Cotonella" në bashkëpunim me SHTR, pas bërjes së një sërë analizash të performancës së "Shqipëria Trikot", duke u nisur që nga numri i produkteve të prodhuara, cilësia e produkteve, koha që duhej për marrjen dhe përfundimin e një porosie të veçantë, arritja e standarteve të kërkuara nga "Cotonella S.p.A", marrëdhëniet shumë bashkëpunuese dhe produktive ndërmjet "Cotonella" dhe SHTR filluan që të mendojnë për ndryshinim e modelit të të bërit biznes deri në atë vit duke e shndërruar SHTR nga nje fasonist trandicional, në një kompani me "paketë më të plotë", ku shumë nga aktivitetet primare të zinxhirit të furnizimit do të kalonin nga Italia në Shqipëri, përkatësisht nga "Cotonella S.p.A" tek "Shqipëria Trikot sh.p.k".

Arsyet për marrjen e një vendimi të tillë ishin:

1-Performancë shumë e mirë në cilësine e produkteve të prodhuara.
2-Numri i të punësuareve pranë "Shqipëria Trikot" kishte arritur në 450, gjë e cila po krijonte vështirësi në kontrollin dhe administrimin e tyre, dhe nevoja për fuqi punëtore më të madhe për të plotësuar të gjitha porositë që "Cotonella" mendonte të prodhonte në Shqipëri
3-Shkëputja e marrëdhënieve me Serbinë dhe Rumaninë, për shkak se sasia e produkteve të prodhuara në Serbi mund të prodhohej në Shqipëri, me një cilësi më të lartë, kosto më të ulët dhe në një kohë më të shkurtër. Ndërsa Rumania shumë shpejt do të ishte vend anëtar e Bashkimit Europian, dhe plotësimi i kritereve për të qenë vend anëtar nënkuptonte kosto më të lartë prodhuese.
4- Transferimi i laboratorëvetë kontrollit të cilësisë së lëndës së parë dhe të produkteve të gatshme dhe gjithashtu prerja dhe paketimi i produkteve që të realizohej pranë "Shqipëria Trikot", sepse në këtë mënyrë kishte nje ndikim të dukshëm në kohë duke shkurtuar kohën që i duhej produkteve dhe

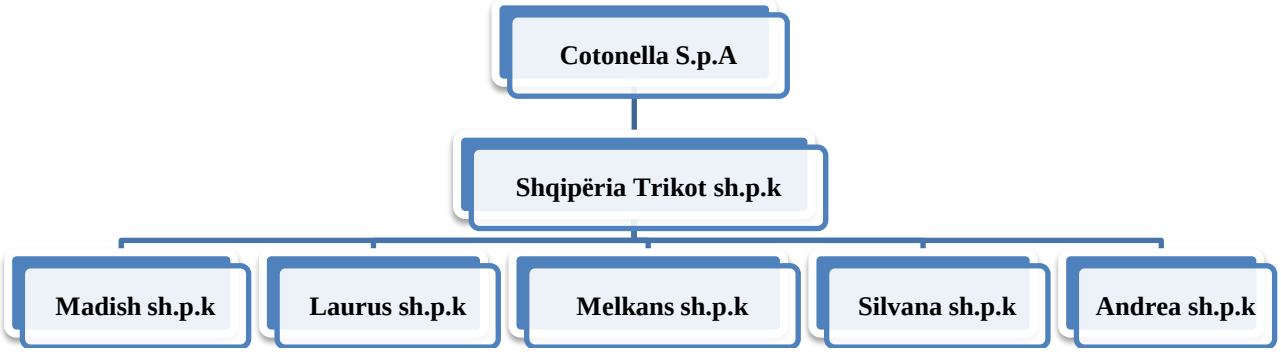
lëndeve të para të dërgoheshin nga vendet furnitore në Itali. Në këtë mënyrë meqenëse mbas analizave të bëra kryesisht në kosto, rezultoi se nënkontraktimi nënkuptonte kosto të njejta prodhimi por kishte efekte pozitive në kohë, kontroll më efiçent manaxherial, ishte më e thjeshtë për tu administruar, specializimi ishte më i madh, kapaciteti i prodhimit do të rritej, numri i artikujve të prodhuar ishte gjithnjë e në rritje, u vendos që në mënyrë graduale të ndodhnin ndryshime të zinxhirit të krijimit të vlerës.

Të gjitha këto ndryshime morën një kohë prej pesë vitesh, nga viti 2001-2006, për të marrë formën e biznesit që është tani.

Modeli i biznesit "Shqipëria Trikot sh.p.k" nga viti 2006 deri 2014

Siç duket edhe nga skema,që nga viti 2006 "Shqipëria Trikot" realizon një numër shumë më të madh të zinxhirit të furnizimit,ndërkohë që prodhimi i produkteve ka kaluar totalisht në duar të nënkontraktorëve.Tani "Cotonella S.p.A" kryen vetëm një pjesë të logjistikës së jashtme që janë furnitorët, gjetjen e tyre dhe bërjes së porosisë, realizon marketingun dhe shërbimin mbas shitjes,ndërsa marrja e lëndëve të para bëhet direkt tek "Shqiperia Trikot",pa kaluar nga "Cotonella" siç ndodhte më përpara.

Nënkontraktorët



Proçese tëprodhimit, qepjes dhe paketimitt të produkteve"Shqipëria Trikot sh.p.k"e realizon mepesë nënkontraktorët e saj.
Nënkontraktori Madish sh.p.k është krijuar që në vitin 1995 duke qenë fillimisht pjesë përbërëse e kompanisë "Shqipëria Trikot sh.p.k".Në vitin 2001 me ndryshimin e formës së prodhimit kjo njësi u shkëput nga kompania duke u kthyer në nënkontraktor të "Shqipëria Trikot sh.p.k".
Nënkontraktorët e tjerë janë Laurus sh.p.k (2006), Melkans sh.p.k (2003), Silvana sh.p.k (2008) dhe Andrea sh.p.k (2013).Ata kontrollohen nga punonjës të "Shqipëria Trikot sh.p.k" të cilët janë teknikë te lartë. Artikujt që gjenerohen nga nënkontraktorët përfshijnë slip, fanella, komplete, sytjena,

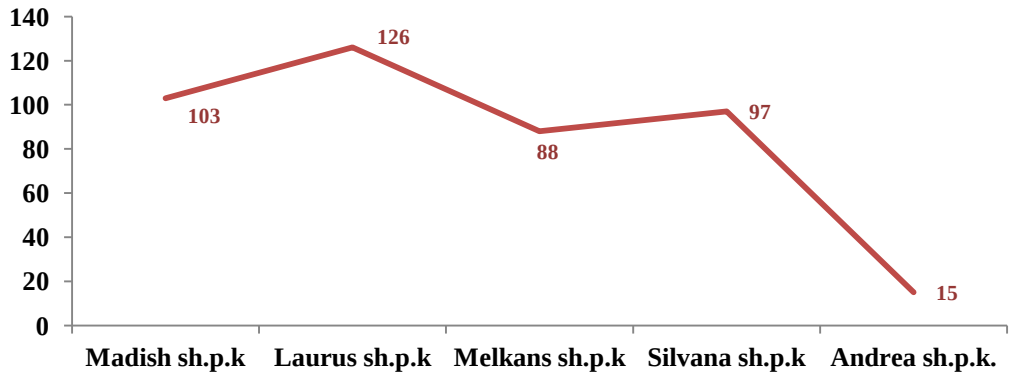
pizhame. “Shqipëria Trikot sh.p.k” siguron kontratate punës, në këtë menyrë siguronpunën dhe marxhin e fitimit për secilin nënkontraktor.Numri i të punësuarve arrin në total në 414 persona.

Tabela 8. Nënkontraktorët e Shqipëria Trikot sh.p.k

Nënkontraktori	Numri i të punësuarve	% në prodhimin total të Cotonella S.p.A
Madish sh.p.k	103	22.85%
Laurus sh.p.k	126	22.85%
Melkans sh.p.k	88	19%
Silvana sh.p.k	97	19%
Andrea sh.p.k.	15	4%
Totali	414	87.7%

Burimi: Cotonella viti 2013

Grafik 7. Numri i të punësuarve i nënkontraktorëve të Shqipëria Trikot sh.p.k

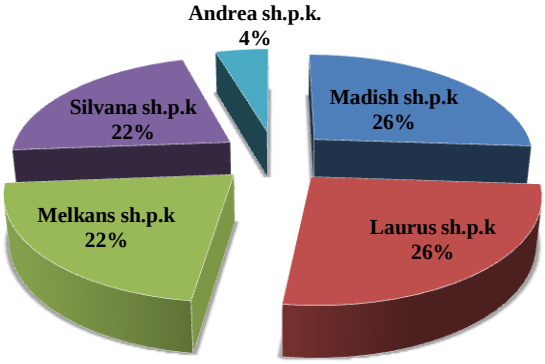


Burimi: Cotonella viti 2013

“Shqipëria Trikot sh.p.k” i ofron mbështetje të vazhdueshme nënkontraktorëve të saj. Asistenca teknike konsiston në:
përzgjedhjen dhe trajnimin e stafit
trajnimin e stafit të secilit nënkontraktor sa herë ndryshojnë kërkesat e tregut dhe ndryshime në organizimin e kompanisë
trajnimin periodik të personelit i cili merret me kontrollin e cilësisë së produktit
trajnimin e stafit që kryen kontrollin gjatë prodhimit
asistencë teknike në mirëmbajtjen e makinerive

Në të njëjtën kohë “Shqipëria Trikot sh.p.k” është e angazhuar maksimalisht për të kryer monitorimin e vazhdueshëm të aktivitetit prodhues të secilit nënkontraktor. Monitorimi kryhet në tre drejtime kryesore. Së pari, gjatë procesit të prodhimit në secilin nënkontraktor është një teknik i “Shqipëria Trikot sh.p.k” i cili është prezent gjatë gjithë periudhës që ushtrohet aktiviteti. Teknikët përgatisin relacione periodike për të eliminuar vështirësitë dhe problemet e hasura gjatë aktivitetit prodhues. Së dyti, monitorohet cilësia e produktit përfundimtar nga reparti i kontrollit të ”Shqipëria Trikot sh.p.k” të cilët përgatisin githashtu relacione statistikore mbi nivelin e cilësisë për secilin nënkontraktor. Së treti, kryhen auditime të vazhdueshme të cilat monitorojnë zbatimin e kërkesave, kontratave dhe standarteve të kërkuara nga kompania mëmë. Në sajë të mbështetjes së ofruar nga “Shqipëria Trikot sh.p.k” dhe kërkesës së kompanisë mëmë aktiviteti i secilit nënkontraktor është rritur si dhe numri i të punësuarve prej tyre.

Grafik 8. Prodhimi i nënkontraktorëve të Shqipëria Trikot sh.p.k



Burimi: Cotonella viti 2013

Efektet e ndryshimit të modelit të biznesit

Prodhimi

Strategjia e prodhimit të "Cotonella S.p.A" është e orientuar drejt një rënie graduale të prodhimit në vendet si Kina dhe India në favor të Shqipërisë. Kjo tregon se konkurrenca e tregut shqiptar të punës, e kombinuar me profesionalizmin dhe sensibilizimin drejt cilësisë, është tani në gjendje për të konkuruar me këdo nga gjigandët e prodhimit botëror të cilëve gradualisht "Cotonella S.p.A" së bashku me "Shqipëria Trikot sh.p.k" është duke i përvetësuar një pjesë gjithnjë e më të rëndësishme të kapacitetit prodhues.

Aktiviteti prodhues i "Shqipëria Trikot sh.p.k" është rritur gjatëkalimit të viteve. Në fillimet e saj në vitin 1998 kompania prodhonte vetëm 60% të totalit të "Cotonella S.p.A." ndërsa në vitin 2013 prodhon rreth 95% të prodhimit total duke pasur një rritje prej 35% krahasuar me vitin 1998. Krahasuar me vitin 2010 prodhimi është rritur në total me 23%. sh.p.k".Rritja e prodhimit në masën 95% është indikatori kyç i kapaciteteve prodhuese të kompanisë dhe prezencës së stafit të specializuar, i cili është në gjendje të prodhojë artikuj më të sofistikuar, në përputhje të plotë me objektivat e kompanisë për transferimin e prodhimit nga Kina dhe India në "Shqipëria Trikot sh.p.k".Në Kinë aktualisht prodhohen 99% e recipetave të cilat përfshihen në linjën ekonomike të "Cotonella S.p.A".Arsyeja e prodhimit në Kinë është prezenca e lëndës së parë dhe kostoja më e ulët e prodhimit për sasi të konsiderueshme deri në 500,000 palë për të cilat kompania mëmë ka kërkesën më të lartë.Ndërsa për realizimin e recipetave të linjës më të shtrenjë është Shqipëria ku prodhimi arrin deri në 5,000 palë në vit.Në Indi prodhohen pigjamet dhe veshjet e brendshme si rrjedhojë e specializimit që ka në prodhimin e pëlhurave të nevojshme për këto produkte. Për më tepër, "Shqipëria Trikot sh.p.k" gjatë fundit të vitit 2014 dhe në vazhdim do të realizojë produkte të reja të kostumeve të banjos falë blerjes së kompanisë të njohur Linea Sprint. Prodhimi i kostumeve të banjës është një vlerë e shtuar për këtë kompani.

Tabela 9, Aktiviteti prodhues Shqipëria Trikot sh.p.k 2010, 2013

Artikull	Prodhimi 2010	Prodhimi 2013	% e rritjes së prodhimit
Mbathje	10,000,000	11,500,000	15%
Fanella	450,000	1,300,000	189%

Recipeta	15,000	50,000	233%
Pizhame	2,000	5,000	150%
Total	10,467,000	12,855,000	23%

Burimi: Cotonella viti 2013

Të ardhurat e "Shqipëria Trikot sh.p.k

Të ardhurat e Shqipëria Trikot kanë pasur një rritje të konsiderueshme me rritjen e sasisë së artikujve të prodhuar.Viti 2013 shënoi një rritje të të ardhurave me 116% krahasuar me vitin 2000.Luhatjet në nivelin e të ardhurave gjatë tre viteve të fundit janë edhe si rezultat i lëvizjeve të konsiderueshme që monedha vendase ka patur ndaj monedhës evropiane.

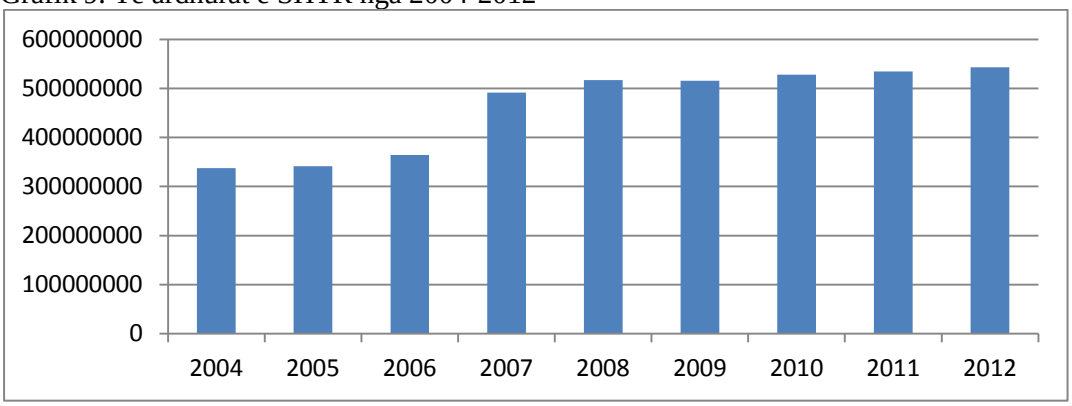
Furnizuesit e lëndës së parë

Në fillimet e aktivitetit të saj "Shqipëria Trikot sh.p.k" importontevetëm nga kompania mëmë, copa të prera dhe aksesorë (llastik, fije, etiketa), materiale për paketim ndërsa pas viteve 2000 ajo importon pëlhura dhe aksesorë të nevojshëm për qepje dhe paketim. Lëndën e parë "Shqipëria Trikot sh.p.k" e importon në pjesën më të madhe nga Turqia dhe më pak nga Italia, Rumania, Bullgaria dhe Kina. Për prodhimin e 12-15 millionë copëve nevojiten të importohen rreth 5000-7000 ton copë. Niveli i importit nga Turqia është rritur shumë dhe ai nga Kina është ulur për shkak të marrëveshjes doganore për të cilën importi i lëndës së parë është free of charge. Pavarësisht këtyre lehtësirave për të eksportuar produktin përfundimtar të realizuar mbi lëndën e parë të importuar nga vendet jashtë Bashkimit Evropian, duhet të paguhet një taksë prej 12.5%.

Importi i lëndës së parë kryhet në varësi të raportit çmim-cilësi dhe sipas kërkesave të klientëve të kompanisë mëmë. Bashkëpunimi me furnizuesit sigurohet nga sektori i blerjeve të kompanisë mëmë dhe bazohet në raportet shumëvjeçare të krijuara me secilin furnizues. Bashkëpunimi konsiston në: (a) përmirësimin e parametrave, (b) eliminimin ose shtimin e karakteristikave apo modifkimin e tyre, (c) kërkesa specifike për materiale të ndryshme të cilat nuk janë të pranishme në tregje.Në të njëjtën kohë, "Shqipëria Trikot sh.p.k" garanton cilësinë e furnizuesit nëpërmjet kontrollit të vazhdueshën të lëndës së parë në laboratorët përkatës që në momentin kur lënda mbërrin në destinacion. Në raste të identifikimit të jo konformiteteve të ndeshura gjatë kontrollit, furnizuesit njoftohen për parregullsitë dhe proçedohet sipas rregullave të vendosura. Për furnizuesit që janë skeptik për rezultatet e testeve të kontrolllit "Shqipëria Trikot sh.p.k" mundëson vëzhgimin e metodave të kontrollit nga furnizuesit përkatës, dhe deri tani shkalla e refuzimit të lëndës së parë është e vogël dhe sporadike. Për të intesifikuar bashkëpunimin me furnizuesit "Shqipëria Trikot sh.p.k" organizon takime me furnizuesit çdo tre muaj gjatë të cilave drejtuesit dhe teknikët e kompanisë njihen me të rejat e fundit të teknologjisë dhe materialeve inovative që mund të ndihmojnë në përmirësimin e cilësisë së produkteve të kompanisë.
Furnizuesit vendas nuk janë pjesë e aktivitetit prodhues të "Shqipëria Trikot sh.p.k" pasi nuk gjenden furnizues në vende që prodhon materialet të cilat plotësojnë parametrat e lartë që janë të nevojshëm për aktivitetin prodhues të kompanisë.

Departamenti i kërkimit dhë zhvillimit (R&D) ndodhet në "Cotonella S.p.a" në Itali. Ky departament ka një staf prej gjashtë personash të cilët kryejnë kërkime mbi materialet e reja të nevojshme për: (a) prodhimin e veshtjeve intime, (b) krijimin e produkteve që lejojnë përshtatjen maksimale në atonominë e trupit, dhe (c) krijimin e produkteve të reja në përputhje me kërkesat e ndryshueshme të klientëve të "Cotonella S.p.A".

Grafik 9. Të ardhurat e SHTR nga 2004-2012



Burimi: Cotonella 2012

Niveli skarcitetit

Ndërsa në bazë të informacioneve të marra për vitet 1995-2006, niveli skarcitetit të produkteve ishte rreth 3%, kjo nuk ishte një shifër alarmuese, por duke marrë parasysh një sërë faktorësh si teknologji të reja që ishin në përdorim për prodhimin e produkteve, specializimin dhe trajnimin e punonjësve, skica prodhimi gjithnjë e më të sistemuara dhe të detajuara nga departamenti i operacioneve mendohej se kjo shifer duhej të ishte më e ulët.
Tani, mbas ndryshime të bëra dhe decentralizimin e prodhimit, niveli skarcitetit është ulur duke arritur në 1.5%. Ajo që është gjithashtu e rëndesishme është fakti se më parë çdo skarco produkti rëndonte shpenzimet e "Shqipëria Trikot", pasi ajo ishte përgjegjëse për dëmet e bera, ndërsa aktualisht në shumicën e rasteve shpenzimet e skarco përballohen nga nënkontraktorët, me përjashtim të rastit kur dëmi ka ardhur si pasojë e një difekti në lënden e parë, ku mban përgjegjësi SHTR.

Specializimi i produktit

Deri në vitin 2001, kur "Shqipëria Trikot" prodhonte vetë, llojshmëria e produkteve të prodhuara ishte e vogël për shkak se kompania nuk arrinte të prodhonte një shumëllojshmëri artikujsh, fuqia punëtore nuk ishte shumë e specializuar dhe kërkonte shpenzime shtesë dhe trajnime për të arritur në prodhimin me suksese të një modeli të ri produkti apo linjë të re prodhimi. Ndërsa tani secili nënkontraktor është më shumë i specializuar në një llojshmëri të përcaktuar artikujsh, duke bërë që cilësia e produkteve të jetë më e lartë, koha për prodhim e produkteve të jetë më e ulët. Pra jane artikujt bazikë qe i prodhon secili nënkontarktor, kemi edhe artikujt të veçantë ku secili prej tyre është i specializuar në një numër të caktuar dhe në modele te ndryshme.
Rritje ka pësuar dhe portofoli i produkteve, i cili është zgjeruar në kalimin e viteve. Në vitet e para të aktivitetit janë prodhuar vetëm mbathje për meshkuj dhe femra. Merritjen e përformancës së kompanisë, cilësisë së prodhimit, dhe shtimin e personelit të specializuar,në vitet në vazhdim është shtuar gama e artikujve si fanella, reçipeta dhe produkte për fëmijë. Në 5 vitet e fundit prodhohen dhe pigjame për femra, meshkuj, fëmijë si dhe këmisha nate. Vlen për tu theksuar se produktet si recipetat kanë pësuar një rritje prej 233% për të njëjtën periudhë kohore ndërsa fanellat janë rritur me 189% dhe pizhamet me 150%.

Stafi "Shqipëria Trikot sh.p.k"

Në qendër të suksesit të "Shqipëria Trikot sh.p.k" është stafi shumë i përkushtuar dhe i kualifikuar i kompanisë.Në vitin e parë të krijimit kompania ka patur 82 punonjës. Në vitin 2000 numri i tyre arriti në 440 punonjës. Me ndryshimin e formës së prodhimit ku shërbimin e qepjes e kryejnë nënkontraktorët numri i punonjësve të kompanisë ka arritur në 78 të punësuar. Ajo që është për tu theksuar është se suksesin "Shqipëria Trikot sh.p.k" e ka arritur falë stafit të vendit pritës. Që nga data

e krijimit të saj e deri më sot kjo kompani nuk ka patur asnjë të huaj të punësuar në aktivitetin prodhues as dhe në atë drejtues. Punëtorët e kompanisë mëmë vijnë kryesisht për periudha të shkurtra për të ofruar asistencë teknike dhe për të marrë pjesë në takime të cilat shërbejnë për të monitoruar aktivitetin e shoqërisë, saktësuar objektivat për të ardhmen dhe vendosur strategjitë përkatëse në periudhat në vazhdim.

Vertikalizimi i prodhimit

Një nga objektivat më të rëndësishëm në të ardhmen e "Shqipëria Trikot sh.p.k" duke konsideruar zhvillimet e tregut dhe startegjitë e brendshme del e nevojshme vertikalizimi i gjithë rrjetit prodhues i cili do të mundësonte: (a) transferimin e prodhimit nga vendet aziatike, (b) do të reduktonte importet e lëndës së parë, (c) do të rriste konkurrueshmërinë e Shqipërisë në shkurtimin e kohës së shpërndarjes dhe (d) do të forconte aftësitë teknike të stafit duke arritur standartet më të larta evropiane. Vertikalizimi do të mundësojë që kompania të realizojë thurjen, stampimin dhe ngjyrosjen e pëlhurës në qytetin e Shkodrës. Për më tepër, kompania synon realizimin e një qendre rajonale e cila do të mund të ofrojë këto shërbime për rajonin dhe për prodhuesit e tjerë fason. I gjithë projekti do të jetë një investim prej 12 milionë eurosh. Kjo qendër do të sigurojë minimalisht 800 vende të reja pune, drejtues, nenpunës, dhe punëtorë të specializuar. Makineritë që do të punojnë respektojnë në mënyrë rigoroze normativat europiane në lidhje me ndotjen e mbjentit dhe garantojnë një nivle sigurie që tejkalojnë standartet e vëndosura nga ligji.

Realizimi i kësaj qëndre do të mundësojë:
reduktimin e kohës së prodhimit
përmirësimin e logjistikës
ulje e ndjeshme e humbjeve nga luhatjet e kursit të këmbimit valutor
eliminimin e transportit të dyfishtë
rritje eksporteve për produktet "Made in Albania"

Aktualisht kompania është duke vlerësuar kohën më optimale për kryerjen e investimit pasi, aktualisht mjedisi i të bërit biznes është jo shumë i favorshëm në vend dhe kapaciteti prodhues që duhet të ketë kjo qendër pasi nevojitet një prodhim minimalisht prej 5,000 ton për të siguruar rentabilitetin e saj, prandaj shikohet nevoja e një studimi të hollësishëm.

Konkluzione

Përqëndrimi i Cotonella Spa vetëm në proceset e logjistikës(marredhëniet me furnitorët) shitjen dhe shërbimet mbas shitjes kanë rezultuarme suksese për kompaninë duke ju referuar treguesve që më lart janë marrë në studim. Gjithashtu nënkontraktimi nga ana e Shqiperia Trikot shpk e 5 nënkontraktoreve dhe kryerja në Shqipëri e një numër procesesh shumë më të mëdha se sa perpara viteve 2006, ka çuar në rritjen e vleres së shtuar të produkteve "Made in Albania", e cila nga ana tjeter është një element shumë i rëndësishëm për njohjen e produkteve të prodhuara këtu në gjithë Europen edhe më tej dhe për tërheqjen e investitorëve të huaj.

Realizimi i një cikli të plotë prodhimi tek Shqipëria Trikot sh.p.k, ka siguruar një sërë avantazhesh për të dhe Cotonella Spa, duke rritur konkurrueshmërine dhe duke siguruar qëndrueshmëri dhe marrëdhënie bashkëpunimi edhe më të forta ndërmjet Cotonella S.p.a dhe Shqipëria Trikot sh.p.k. Një ndër ndryshimet më të rëndësishme është integrimi zinxhirit të furnizimit, ku gjithnjë e më shumë vërehet një bashkëpunim dhe shkëmbim informacioni ndërmjet hallkave të zinxhirit të vlerës.
"Shqipëria Trikot shpk" realizon të gjithë ciklin e proçeseve deri në lëvrimin e mallit tek klientët, në përjashtim të design-it, blerjes së lëndës së parë dhe marketing-ut, por me synimin e afërt të plotësimit të të gjithë proçeseve duke mundësuar produkte 100 % "Made in Albania"

Një nga objektivat më të rëndësishëm në të ardhmen e "Shqipëria Trikot sh.p.k" është vertikalizimi i prodhimit duke mundësuar krijimin e bazës së furnizuesve së lëndës së parë në Shqipëri për mbulimin

e nevojave të tregut brenda dhe jashte duke realizuar thurjen, stampimin dhe ngjyrosjen e pëlhurës në qytetin e Shkodrës

Suksesi i "Shqipëria Trikot sh.p.k" është arritur falë stafit të vendit pritës. Që nga data e krijimit të saj e deri më sot kjo kompani nuk ka patur asnjë të punësuar nga kompania mëmë në aktivitetin prodhues, dhe as në atë drejtues.

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MSC. XHEMILE BERISHA HOTI, PHD. (C) ARTA HOTI, MSC. SAMI ARIFAJ, PHD. (C) SEVDIE ALSHIQI BEKTESHI – ROLI I AUDITIMIT TË BRENDSHËM NË PËRMIRËSIMIN E OPERACIONEVE BANKARE

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Abstrakt

Ky punim vlerëson rolin e auditimit të brendshëm në bankat komerciale të Sistemit Bankar në Republikën e Kosovës, por gjetjet kryesore janë bërë nga analiza e funksionimit të auditimit të brendshëm të një banke në Kosovë si rast studimi si dhe krahasimi me bankat tjera.

Me këtë punim është synuar të bëhet vlerësimi i sistemit ligjor dhe rregullativ i krijuar në sistemin Bankar të Kosovës për funksionimin e mirëfilltë të Auditimit të Brendshëm, kornizat ligjore të cilat duhet ti respektoj një auditor i brendshëm gjatë kryerjes së punës, objektivat që duhet ti parapërcaktoj dhe synoj ti arrij, auditimin e bazuar në vlerësimin e rrezikut, auditimin e bazuar në vlerësimin e funksionimi të kontrollit të brendshëm, hapat e kryerjes së auditimit të brendshëm, cilat janë auditimet kyqe në bankë si dhe roli i auditimit të brendshëm në përmirësimin e operacioneve bankare.

Qëllimi i punimit është të analizoj se sa ka arritur që auditimi i brendshëm pas më shumë se një dekade të funksionimit të sistemit bankar në Kosovë, të ketë ndikime në një institucion bankarë të përmirësoj operacionet bankar, kjo përmes rolit të tij në përmirësimin e menaxhimit të rrezikut, sistemit të kontrollit të brendshëm si dhe proceseve qeverisëse.

Punimi është i organizuar sipas pjesëve në vijim:
Pjesa e I një historik të shkurtër të zhvillimit të sistemit bankar në Kosovë si dhe gjendja aktuale e sistemit bankar. Pjesa e II përshkruan kornizën ligjore brenda kufijve të të cilës duhet të veproj auditori i brendshëm. Pjesa e III ka të bëjë me përcaktimin e objektivave të çdo auditimi. Pjesa e IV përshkruan fushëveprimin e auditimit të brendshëm në bankë duke u fokusuar në katër shtyllat kryesore: rreziqet bankare, rolin e kontrollit të brendshëm, auditimit të brendshëm si dhe hapat e procesit të auditimit. Pjesa e V përfshinë auditimin e funksioneve kyçe në bankë që është i shpërndarë në gjashtë njësitë kryesore të bankës. Pjesa kryesore apo e VI me radhë që përfshinë rolin që ka auditimi i brendshëm në përmirësimin e operacioneve bankare si dhe pjesa e fundit e cila paraqet një përmbledhje të punimit si dhe konkluzionet kryesore të arritura.

Hyrje

Duke marrë për bazë rëndësinë e bankave në sistemin bankar si dhe sistemin bankar në mbarëvajtjen e sistemit financiar dhe ekonomik të vendit lind nevoja e krijimit të mekanizmave të brendshëm në banka që sa më lehtë dhe më shpejtë të identifikojnë rreziqet në aktivitetet kryesore të bankës dhe kontrolleve të brendshme të pritura që mendohet se i lehtësojnë / zbusin këto rreziqe.

Në këtë punim do të shtjellohet kuptimi i rrezikut të bazuar në kornizën e auditimit, aftësia e planifikimit të auditimit duke përdorur qasjen e bazuar në rrezik, do të shtjellohen apo mësohen

teknikat për kontrollimin dhe auditimin e funksioneve kyçe, transaksionet e aplikimit të biznesit, aktivitetit, kontrollit dhe procedurat.

Do të elaborohet mënyra se si të aplikohet një qasje pro aktive për të ofruar një shërbim të vlerës së shtuar në organizatën tuaj.

Të sigurohet, gjatë kryerjes së auditimit tuaj të brendshëm, se auditorët janë duke zbatuar standardet e auditimit ndërkombëtarë si dhe praktikat më të mira.

Zhvillimi i sistemit bankar në Kosovë

Kosova pas luftës doli me një sektor bankar të shkatërruar totalisht pa asnjë bankë funksionale. Sipas dispozitave të Misionit të Administratës së Përkohshme të Kombeve të Bashkuara në Kosovë ("UNMIK") Rregullorja nr. 1999/20 e nxjerrë më 15 nëntor 1999 (e ndryshuar më 1 tetor 2001) u themelua Autoriteti Bankar dhe i Pagesave të Kosovës. Me 24 gusht 2006 PSSP ka nënshkruar rregulloren e re mbi Banka Qendrore e Republikës së Kosovës dhe ka transformuar Autoritetin Bankar dhe të Pagesave të Kosovës (AQBK) në Banka Qendrore e Republikës së Kosovës (BQK). Sipas kësaj rregulloreje, objektivat themelore të BQK-së janë:

☑ Të ruhet fuqia, aftësia paguese dhe funksionimi efikas i një sistemi stabil të bazuar në treg, duke inkurajuar krijimin e instrumenteve të sigurta financiare; dhe
☑ Pa ndonjë paragjykim, të përkrah politikat e përgjithshme në Kosovë për te kontribuar në një alokim efikas të burimeve në pajtim me principet e një ekonomie me treg të hapur.

Në Republikën e Kosovës sot operojnë 9 (nëntë) banka komerciale dhe përbëjnë 76.3 përqind të aseteve totale të sektorit financiar. Produktet dhe shërbimet e tyre përfshijnë llogaritë bankare, kreditë, pagesa vendore dhe ndërkombëtare, kartela bankare, garancione bankare, letër kredi, e-banking. Qasja në shërbimet e këtyre bankave mundësohet përmes aktualisht 310 degëve dhe nëndegëve, 415 ATM-ve dhe 8361 POS dhe 55292 llogarive e-banking (bankimi elektronik).

Në bazë të rregullave të aprovuara nga organet kompetente të këtij institucioni është obliguar krijimi i një sistemi të mirëfilltë të kontrollit të brendshëm dhe auditimit të brendshëm, më saktësisht sipas rregullës mbi kontrollat e brendshme dhe auditimin e brendshëm, përcaktohen saktë përgjegjësit e çdo banke për funksionalizimin e këtij sistemi.

Korniza ligjore e Auditimit të Brendshëm në Sistemin Bankar në Kosovë

Me qëllim të arritjes së rezultateve të dëshiruara në përmirësimin e operacioneve bankara Auditorët e Brendshëm në Sistemin Bankar në Kosovë, punën e tyre duhet ta mbështesin çdo herë në kornizat e mëposhtme:

☑ Standardet Ndërkombëtare të Auditimit
☑ Standardet e Atributit, Përformancës dhe Implementimit
☑ Kodi i etikës
☑ Ndihmat dhe praktikat zhvillimore
☑ Rregullat e BQK-së
☑ Ligji për bankat, institucionet mikrofinanciare dhe institucionet financiare jo bankare
☑ Politika, Procedura dhe Manualet e Brendshme

Objektivat e Auditimit të Brendshëm

Objektivat e auditimit duhet të jenë të vendosura për çdo angazhim dhe duhet gjithmonë të bazohen në rezultatet e vlerësimit të rrezikut.

Objektivat kryesore të auditimit të cilat duhet ti kenë parasysh auditorët gjatë auditimit janë:

☑ Nëse aktivitetet bankare janë duke u kryer në përputhje me ligjet, rregullat, rregulloret, politikat dhe procedurat në fuqi, sepse vetëm në këtë mënyrë kompanitë mund të arrijnë drejt caqeve të dëshiruara dhe vetëm në këtë mënyrë mund të arrihen rezultatet e dëshiruara të politikave financiare dhe ekonomike,
☑ Nëse aktivitetet bankare në proces kanë për qëllim dhe funksionojnë për ngritjen e profitit të kompanisë,
☑ Nëse aktivitetet bankare kanë për qëllim që të rrisin çdo herë e më shumë reputacionin e kompanisë,

Fushëveprimi i Auditimit të Brendshëm

Fushëveprimi i auditorit të brendshëm në çdo institucion po edhe në bankë përkufizohet përmes nëntë hapave të auditimit të brendshëm të cilët janë rezultat i vlerësimit të rreziqeve bankare, funksionimit të kontrollit të brendshëm dhe auditimit të brendshëm në bankë.

Rreziqet Bankare

Gjithmonë ekzistojnë mundësia që një ngjarje specifike të ndodhë brenda një periudhe specifike apo në rrethana specifike, varësisht prej rrethanave dhe kjo mund të jetë frekuencë apo probabilitet.

Gjithmonë ekziston mundësia e një ngjarjeje të pafavorshme, situate fizike me potencial të lëndimeve njerëzore, dëmtimit të pronës, dëmtimit të mjedisit apo ndonjë kombinim i tyre.
Duke u bazuar në përvojën nga e kaluara rreziqet kryesore me të cilat ballafaqohen bankat janë:

Rreziku Strategjik është ndikimi aktual dhe i ardhshëm në fitimin apo kapitalin që vjen si rrjedhojë e vendimeve të pafavorshme të biznesit, implementimi i gabuar i vendimeve apo pamundësia e përgjigjes ndaj ndryshimeve industriale.
Rreziku Reputacional është ndikimi aktual dhe i ardhshëm në fitimin apo kapitalin që vjen nga opinioni negativ i publikut.
Rreziku Ligjor është rreziku aktual dhe i ardhshëm në fitimin apo kapitalin që vjen nga shkelja apo mosnënshtrimi i ligjit, rregullave, rregulloreve, praktikave të përshkruara, politikave të brendshme apo standardeve etike.
Rreziku i Kredisë – Rreziku i mospagimit të huamarrësit apo dështimit të performimit.
Kredia e mirë përfshin një seri të faktorëve: politika të qarta, zbatim të politikave, kontrolle të vlefshmërisë së kredisë, analiza të rreziqeve përfshirë koncentrimin, monitorimin dhe rishikimin, përcaktimin e kufijve, pjesëmarrjen e menaxhmentit.
Rreziku i Tregjeve – Ndryshimin në vlerën e tregut të portofolios së bankës dhe shkaqet e kanosjes së bankës nga ky rrezik janë: normat e kamatës, normat e këmbimit të huaj, paanësia, marrëveshja dhe çmimet e mallrave, paqëndrueshmëria dhe shpërndarjet kreditore, përcaktimi i sasisë së rrezikut bazuar në pritjet duke siguruar se tregtia mbetet brenda partnerëve të dakorduar, menaxhimi i pavarur (nga tregtarët), shënjimi i tregut në baza ditore etj.
Rreziku i Likuiditetit – Banka pranon depozita dhe i huazon ato dhe si pasoj bilanci i rrjedhave të të hyrave dhe të dalurave mund të jetë delikat, banka mund të ketë probleme tradicionale të rrjedhës së parave, kthimi i të ardhurave të parave të gatshme nëse huazohen, norma e kamatës më e lartë për më pak fonde të likuiditetit pastaj cikli i rrjedhës së parasë etj.
Rreziku Operacional – Gjatë punës operative të cilën bankat e kryejnë çdo ditë mund të kanosen nga rreziqe operacionale të cilat mund të jenë të natyrave të ndryshme, p.sh. lejimet e kredive, hapjet e llogarive, sistemimet e dokumentacionit etj.
Rreziku i Mashtrimit – Pavarësisht tendencës për vendosjen e një sistemi të mirëfilltë të kontrollit të brendshëm gjithmonë ekziston mundësia e mashtrimit të një kompanie qoftë nga personat e brendshëm apo të jashtë dhe mashtrimet e tilla mund ti shkaktojnë kompanisë humbje të mëdha qoftë financiare po në disa raste edhe deri në falimentim, apo edhe përgjigje dhe dënime të mëdha para organeve kompetente të gjyqësisë.

Kontrolli i Brendshëm

Për të kuptuar rolin e sistemit të kontrollit të brendshëm në banka duhet të bazohemi ne 13 parimet e përgjithshme të kontrollit të brendshëm:

❑ Bordi i drejtorëve duhet të ketë përgjegjësi për aprovimin dhe rishikimin periodik të strategjive të përgjithshme të biznesit dhe politikave të rëndësishme të bankës dhe të kuptojë rreziqet kryesore të udhëhequra nga banka. Bordi është së fundi përgjegjës për të siguruar se një SKB (Sistem i Kontrollit të Brendshëm) adekuate dhe efektive është vendosur dhe mirëmbajtur.
❑ Udhëheqësia e lartë duhet të ketë përgjegjësi për implementimin e strategjive dhe politikave të aprovuara nga bordi, të vendosë politika të duhura të kontrollit të brendshëm dhe monitorim të përshtatshmërisë dhe efektshmërisë të sistemit të kontrollit të brendshëm.
❑ Bordi dhe udhëheqësit e lartë janë përgjegjës për promovimin e standardeve të etikës dhe integritetit të lartë, dhe për themelimin e një kulture brenda organizatës e cila thekson dhe demonstron të gjithë niveleve të personelit, rëndësinë e kontrolleve të brendshme.
❑ Një SKB efektive kërkon që rreziqet materiale që mund të ndikojnë negativisht në arritjet e qëllimeve të bankës të njihen dhe vazhdimisht të vlerësohen. Ky vlerësim duhet të zbulojë të gjitha rreziqet që i kanosen bankës (kredia, shteti, transferi, tregu, kamata, likuiditeti, rreziqet operative, ligjore dhe reputacionale).
❑ Aktivitetet e kontrollit duhet të jenë pjesë e integruar e aktiviteteve ditore bankare. Një SKB efektive kërkon vendosjen e strukturës së kontrollit të duhur, me aktivitete të kontrollit të definuara në çdo nivel të punës.
❑ Një SKB efektive kërkon ekzistimin e ndarjes së duhur të detyrave dhe se personelit nuk i caktohen detyra konfliktuese.
❑ Një SKB efektive kërkon ekzistimin e të dhënave të brendshme adekuate dhe gjithëpërfshirëse financiare, operative dhe të pajtueshme, si dhe informata të tregut të jashtëm mbi ngjarjet dhe kushtet që janë relevante për vendim marrje.
❑ Një SKB efektive kërkon ekzistimin e sistemeve të besueshme informative që mbulojnë të gjitha aktivitetet e rëndësishme të bankës.
❑ Një SKB efektive kërkon kanale efektive të komunikimit për të siguruar se i tërë stafi plotësisht i kupton dhe pajtohet me politikat dhe procedurat që ndikojnë në detyrat dhe përgjegjësitë e tyre.
❑ Efektshmëria e përgjithshme e kontrollit të brendshëm të bankës duhet të monitorohet në baza të vazhdueshme.
❑ Duhet të ekzistojë një kontroll i brendshëm efektiv dhe gjithëpërfshirës i sistemit të kontrollit të brendshëm i udhëhequr nga një staf operativisht i pavarur, i trajnuar si duhet dhe kompetent.
❑ Mungesat e kontrollit të brendshëm, të identifikuara nga linja e biznesit, auditori i brendshëm apo personeli tjetër i kontrollit, duhet të raportohet me kohë tek niveli adekuat i udhëheqësisë dhe të qaset me shpejtësi.
❑ Mbikëqyrësit duhet të kërkojnë që të gjitha bankat, pavarësisht nga madhësia, të kenë një sistem efektiv të kontrolleve të brendshme që është në përputhje me natyrën, kompleksitetin dhe rrezikun e pandarë në aktivitetet e brenda dhe jashtë fletës së bilancit dhe që i përgjigjet ndryshimeve të mjedisit dhe kushteve të bankës.

Auditimi i Brendshëm

Gjithashtu një Auditor i Brendshëm për të arritur rezultatet e synuara drejt përmirësimit të operacioneve bankara duhet tu përmbahet 20 parimeve në bazë të të cilave duhet të punoj një auditori i brendshëm në bankë:

❑ Bordi i drejtorëve të bankës mban përgjegjësinë për të siguruar se udhëheqësia e lartë themelon dhe mirëmban një sistem adekuat dhe efektiv të kontrolleve të brendshme (SKB). Së paku një herë në vit, bordi duhet të rishikojë SKB-në.
❑ Udhëheqësia e lartë e bankës është përgjegjëse për zhvillimin e proceseve që identifikojnë, mesin, monitorojnë dhe kontrollojnë rreziqet e shkaktuara nga banka. Udhëheqësia e lartë duhet së paku një herë në vit të raportojë tek bordi mbi fushëveprimin dhe përformancën e SKB-së.

❑ Auditimi i brendshëm është pjesë e monitorimit të vazhdueshëm të sistemit të kontrolleve të brendshme të bankës, sepse ai ofron vlerësim të pavarur të përshtatshmërisë, dhe pajtueshmërisë me politikat dhe procedurat e themeluara të bankës. Si i tillë, ai ndihmon udhëheqësin e lartë dhe bordin në përmbushjen e detyrave dhe përgjegjësive të tyre.
❑ Çdo bankë duhet të ketë funksion të përhershëm të auditimit të brendshëm.
❑ Udhëheqësia e lartë duhet t'i ndërmerr të gjitha masat e nevojshme ashtu që banka në mënyrë të vazhdueshme të mund të mbështetet në funksionin adekuat të auditimit të brendshëm, i përshtatshëm me madhësinë dhe natyrën e veprimet e bankës. Këto masa përfshijnë ofrimin e resurseve dhe plotësimin e duhur me personel.
❑ Auditimi i brendshëm bankar duhet të jetë i pavarur prej aktiviteteve të audituara dhe nga veprimet e proceseve të përditshme të kontrollit të brendshëm.
❑ Çdo bankë duhet të ketë statut të auditimit të brendshëm e cila do të rrisë pozitën dhe autoritetin e auditimit të brendshëm brenda bankës.
❑ Auditimi i brendshëm duhet të jetë objektiv dhe i paanshëm, që do të thotë të jetë në pozitë të përmbush detyrat e tij pa ndërhyrje.
❑ Kompetenca profesionale e çdo auditori të brendshëm dhe të auditimit të brendshëm si tërësi është e domosdoshme për funksionim të mirëfilltë të auditimit të brendshëm.
❑ Çdo aktivitet dhe çdo entitet i bankës duhet të jetë brenda fushëveprimit të auditimit të brendshëm.
❑ Auditimi i brendshëm kryen rishikim të rregullt dhe të pavarur të sistemit të menaxhimit të rrezikut të zhvilluar nga banka për të ndërlidhur rrezikun me nivelin e kapitalit të bankës dhe metodën e themeluar për monitorimin e pajtueshmërisë me politikat e brendshme kapitale.
❑ Auditimi i brendshëm përfshin hartimin e planit të brendshëm, ekzaminimin dhe vlerësimin e informatave të disponueshme, publikimin e rezultateve dhe rekomandimet vazhduese.
❑ Kreu i auditimit të brendshëm duhet të jetë përgjegjës për të siguruar se auditimi i brendshëm është në pajtueshmëri me parimet e shëndosha të auditimit të brendshëm.
❑ Mbikëqyrësit duhet të vlerësojnë punën e auditimit të brendshëm dhe, nëse janë të kënaqur, mund të mbështeten në të për të identifikuar fushat e rrezikut potencial.
❑ Mbikëqyrësit duhet të kenë konsultime të herëpashershme me auditorë të brendshëm për të diskutuar fushat e identifikuara të rrezikut dhe masat e ndërmarra.
❑ Mbikëqyrësit inkurajohen për të aranzhuar diskutime të rregullta të çështjeve të politikave me krerët e auditimit të brendshëm të bankave nën mbikëqyrjen e tyre.
❑ Mbikëqyrësit duhet të inkurajojnë konsultime në mes të auditorëve të brendshëm dhe atyre të jashtëm në mënyrë që bashkëpunimi i tyre të bëhet sa më efikas dhe efektiv që është e mundur.
❑ Puna e kryer nga ana e auditorit të jashtëm për mbikëqyrësin duhet të jetë në baza ligjore apo kontraktuese. Çdo detyrë e caktuar auditorit të jashtëm nga mbikëqyrësi duhet të jetë plotësim i punës së tij të rregullt dhe duhet të jetë brenda kompetencave të tij.
❑ Bashkëpunimi në mes të mbikëqyrësit, auditorit të jashtëm dhe auditorit të brendshëm ka për qëllim ngritjen e efikasitetit dhe efektshmërisë së të gjitha palëve të përfshira. Bashkëpunimi mund të jetë i bazuar në takime periodike.
❑ Krijimi i Komisionit të përhershëm të Auditimit është zgjidhje për Bordin për të siguruar ekzistencën dhe mirëmbajtjen e një sistemi adekuat të kontrolleve të brendshme. Një komision i tillë përforcon sistemin e kontrollit të brendshëm dhe auditimin e brendshëm dhe të jashtëm.
❑ Pavarësisht nëse aktivitetet e auditimit të brendshëm mbeten pa burime, Bordi dhe udhëheqësia e lartë mbesin përfundimisht përgjegjëse për të siguruar se sistemi i kontrollit të brendshëm dhe auditimi i brendshëm janë adekuat dhe funksionojnë në mënyrë të efektshme.

Hapat e procesit të auditimit

Për ta përfunduar një proces të auditimit, një auditor duhet të kaloj nëpër disa hapa të auditimit të cilat janë të listuara më poshtë:
1 → Zgjedhja e objektit të auditimit
2 → Planifikimi i angazhimit të auditimit
3 → Studimi preliminar
4 → Analiza (vlerësimi) i përshtatshmërisë së sistemit të kontrollit të brendshëm

5 → Vlerësimi i efektshmërisë së sistemit të kontrollit të brendshëm
6 → Zhvillimi i zbulimeve dhe rekomandimeve
7 → Raportimi i auditimit dhe shpërndarja
8 → Monitorimi i rezultateve (përcjellja)
9 → Vlerësimi i auditimit të kryer

Auditimi i funksioneve kyçe në bankë

Auditimi i funksionit të depozitave - Në mënyrë që të kuptojmë më qartë rëndësinë e auditimit të funksioneve të depozitave duhet të fillojmë qysh në hapin e parë, e që është hapja e llogarisë që ka të bëjë me kontaktin e parë dhe marrëveshjen e parë që klienti bënë me bankën. Hapja e llogarisë përfshinë lloje ndryshme të llogarive të cilat ofrojnë kushte të ndryshme për mbajtjen e depozitave të klientëve të bankës, si dhe pjesa më e rëndësishme e funksionit depozitues të bankës pengimi i pastrimit të parave dhe financimit të terrorizmit.

Auditimi i funksionit të kredive - Auditimi i funksioneve të kredive mund të bëhet vetëm atëherë kur kemi plotësisht të qartë përkufizimin se çka është kredia, çfarë lloje të kredive kemi si dhe hapat e ciklit të kredisë. Duke mos anashkaluar rendësin e asnjë auditimi të funksioneve të bankës mund të themi se funksioni i kredisë paraqet një njësi shumë të rëndësishme të funksionimit të bankës.

Kontrollimi dhe auditimi i Teknologjisë Informatike - Auditimi i SI-ve: procesi i grumbullimit dhe vlerësimit të dëshmive për të përcaktuar nëse një sistem kompjuterik mbron asetet, mirëmban integritetin e të dhënave, mundëson arritjen e synimeve organizative në mënyrë efektive, dhe përdor resurset në mënyrë të efektshme.

Auditimi i funksioneve të tregjeve të thesarit / kapitalit - Me qëllim të identifikimit të hapave dhe pikave kyçe për auditimin e funksioneve të tregjeve të thesarit\kapitalit do të shtjellojmë limitet, sistemin e komunikimit me qëllim të tregtimit në tregjet e kapitalit, rreziqet me të cilat kanoset ky aktivitet dhe mbi të cilin duhet të bazohet auditimi, pastaj objektivat, llojet dhe përgatitja e auditimit.

Auditimi i funksionit të kontabilitetit - Auditimi i funksioneve të kontabilitetit duhet fillimisht të kuptoj se si funksionon departamenti i kontabilitetit, cilat janë karakteristikat e kontabilitetit të bankës, si funksionojnë aplikacionet e kontabilitetit, cilat janë proceset e kontabilitetit, parametrat e aplikacionit, si bëhet procedimi i protokollit dhe çka duhet të përfshijë programi i auditimit.

Auditimi i deklaratave financiare të bankës - Me qëllim të arritjes së një opinioni të arsyeshëm auditori i brendshëm gjatë auditimit të deklaratave financiar të bankës duhet të ketë parasysh karakteristikat e deklaratave financiare të bankës, transparenca e deklaratave financiare, cilat janë kriteret për standardet e kontabilitetit, pasqyrimi sipas IFRS-së, përputhshmëria sipas parimeve të kontabilitetit si dhe raportimi sipas rregullatives së BQK-së.

Roli i Auditimit të Brendshëm në përmirësimin e operacioneve bankare

Aktivitet të pavarur dhe objektiv të ofrimit të sigurisë dhe këshillëdhënës, të dizajnuar që të shtojë vlerën dhe të përmirësojë aktivitetet operative të një organizate. Ndihmon organizatën që të përmbushë objektivat e saj duke sjellë qasje sistematike për vlerësimin dhe përmirësimin e efektivitetit të menaxhimit të rrezikut, kontrolli dhe procesit të qeverisjes.

Gjatë punës operative të cilën bankat e kryejnë çdo ditë mund të kanosen nga rrezik operacionale të cilat mund të jenë të natyrave të ndryshme p.sh. Lejimet e kredive, hapjet e llogarive, sistemimet e dokumentacioneve etj.

Me qëllim të përgjithësimit të auditimit të brendshëm do ta përmbledhim në tri hipoteza bazike të cilat ngërthejnë në vete aktivitetet dhe synimet bazë të punës së auditorit të brendshëm në një institucion, apo në veçanti rolin e auditimit në përmirësimin e operacioneve bankare:

→ Roli i auditimit të brendshëm në përmirësimin e menaxhimit të rrezikut,
→ Roli i auditimit të brendshëm në përmirësimin e sistemit të kontrollit të brendshëm,
→ Roli i auditimit në përmirësimin e proceseve qeverisëse,

Qëllimi kryesor i auditorit të brendshëm në një kompani e që në rastin tonë të studimit është institucion bankar është të hetoj dhe vlerësoj efektivitetin me të cilin njësitë e ndryshme të kompanisë janë duke i kryer detyrat e tyre të caktuara. Por mbi të gjitha aktivitet kyç i auditorit është studimi dhe vlerësimi i kontrolleve të brendshme duke pas parasysh se funksionimi efektiv i kontrollës së brendshme nënkupton në mënyrë të drejtpërdrejtë menaxhim më të mirë të rrezikut dhe arritje më të sigurt dhe më të shpejtë në objektivat e përcaktuara.

Përmbledhje dhe Përfundime

Auditimi i brendshëm ka një rol kyç në menaxhimin e një institucioni bankar, sepse ofron një siguri objektive mbi kontrollet dhe menaxhimet e rrezikut. Auditimi i brendshëm është një aktiviteti i pavarur, i sigurisë objektive dhe konsultuese i dizajnuar për të shtuar vlerë dhe për të përmirësuar operacionet bankare.

Auditimet operacionale janë auditime të proceseve operacionale të bankës të cilat mund të kontrollojnë vetëm faktin nëse është duke u vepruar në përputhje me kontrollet e brendshme, por që në të njëjtën kohë kontrollojnë edhe efektivitetin e kontrolleve si pjesë e procesit të menaxhimit të rrezikut. Auditorët e brendshëm duhet të posedojnë njohuri, zotësi dhe aftësi tjera të nevojshme për ti realizuar përgjegjësitë e tyre individuale.

Auditori i brendshëm duhet të ketë njohuri të mjaftueshme për të identifikuar indikatorët e mashtrimeve por nga ai nuk pritet të ketë ekspertizë të një personi, përgjegjësia kryesore e të cilit është identifikimi dhe investigimi i mashtrimeve.

Parimet kryesore të cilat duhet ti respektojnë auditorët për të qenë etik gjatë punës janë:

-Integriteti
-Objektiviteti
-Kompetenca profesionale dhe kujdesi i duhur
-Konfidencialiteti
-Sjellja në mënyrë profesionale

Bazuar në rezultatet e vlerësimit të rrezikut, aktiviteti i auditimit të brendshëm duhet të vlerësojë përshtatshmërinë dhe efektivitetin e kontrolleve të cilat kanë të bëjnë me qeverisjen e organizatës, operacionet dhe sistemet informative. Kjo duhet të përfshijë:

-Besueshmërinë dhe integritetin e informatave financiare dhe operative.
-Efektivitetin dhe efikasitetin e operacioneve.
-Ruajtjen e aseteve.
-Pajtueshmërinë me ligjet, rregulloret dhe kontratat.

Për të kuptuar më saktësisht se si auditimi i brendshëm ka rol të rëndësishëm në përmirësimin e operacioneve bankare duhet ta kuptojmë rolin e auditimit të fokusuar në tri degë të cilat në mënyrë të tërthortë janë të ndërlidhura me njëra tjetrën dhe ato janë, roli i auditimit të brendshëm në:

→ Përmirësimin e menaxhimit të rrezikut,
→ Përmirësimin e sistemit të kontrollit të brendshëm dhe
→ Përmirësimin e proceseve qeverisëse.

Menaxhimi i mirëfilltë i rrezikut me qëllim të minimizimit të tij, krijimi i një sistemi të shëndoshë të kontrollit të brendshëm dhe një proces qeverisës adekuat janë çelës i suksesit të një institucioni financiar (banke) dhe dëshmi e kontributit të madh të auditimit të brendshëm në suksesin e bankës.
Katër sfidat kryesore që ballafaqojnë auditimin e brendshëm:

→ Roli i ardhshëm i auditimit në pritjet e qeverisjes së bankës dhe të bartësve,
→ Adresimi i propozimit të vlerës së shtuar përmes përqendrimit të në proceset e kontrollit, menaxhimit të rrezikut dhe të qeverisjes,
→ Sigurimi dhe mirëmbajtja e kompetencave të kërkuara për të ofruar shërbim të vlerës së shtuar,
→ Vlerësimi periodik i këtyre kompetencave nga palët e jashtme.

Elementet e kompetencës:

→ Zhvillo një mirëkuptim të rreziqeve të bankës
→ Zhvillo mirëkuptim të përshtatshmërisë dhe efikasitetit të strategjive të kontrollit, strukturës dhe sistemeve të bankës
→ Kontribuo në përmirësimin e rreziqeve të kontrolluara nga bankat, menaxhimin e rrezikut dhe procesin e qeverisjes
→ Ofro siguri të vazhduar se organizimi është në kontrollin përkatës ndaj rreziqeve
→ Menaxho auditimin e brendshëm brenda kontekstit të organizatës dhe në pajtueshmëri me Standardet e IIA

Në mënyrë që puna e auditorëve të brendshëm të ketë rol të rëndësishëm në përmirësimin e operacioneve bankare auditorët e brendshëm duhet gjithmonë të përqendrohen në 4 fusha kyçe dhe ato janë:

"Zbatimi i auditimit bazuar në rreziqe",
"Përqendrimi në pritjet e bartësve",
"Ofrimi i shërbimeve të sigurisë pro aktive" dhe
"Koncentrimin në aktivitetet e vlerës së shtuar".

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MSC. MUHAMET HALILI – NDIKIMI I FAKTORËVE TË RRETHINËS NË VENDIM-MARRJEN AFARISTE

MSC. MUHAMET HALILI

Abstrakt

Ky punim ka synim trajtimin e faktorëve që ndikojnë për marrjen e një vendimi, sa më të drejtë në momentin dhe kohën e duhur në mënyrë që ndërmarrjet të ken një siguri më të lartë në afarizimin e tyre.
Objektiv themelor i punimit është që përmes tij të indentifikojë ndikimet më të rëndësishme të faktorëve të mjedisit apo rrethinës në vendimmarrje. Por njëkohësisht marrësit e vendimeve ose menaxherët të informohen dhe të dinë se si të merren vendimet më të drejta dhe kualitative.
Faktoret e mjedisit janë një llojë predispozuesi për marrjen e vendimeve nga menaxherët e ndërmarrjeve, por gjithnjë duke pasur parasysh edhe rreziqet të cilat mundë të paraqiten gjatë procesit të vendimmarrjes.

Hyrje

Sa herë të flasim për vendosjen dhe faktorët që ndikojnë në të, duhet kujdesur edhe për një dimension të rendësishëm, e ky deminsion mund të përmblidhet si dallimet kulturore të vendeve të caktuar. Për këtë arsye ndodh që vendosja për probleme të njejta, ndryshon nga vendi në vend varsisht nga specifikat kulturore të vendeve të caktuar.

Faktorët e rrethinës që ndikojnë në vendimmarrje janë: Faktorët shoqëror-social, Faktorët kulturor, Faktorët politik, Faktorët juridik, Faktorët ekonomik, Faktorët teknologjik, Faktorët ekologjik, Konkurrenca dhe tregu si faktor.

Faktorët shoqëror-social

Faktorët shoqëror kanë të bëjnë me atë se secila shoqëri i ka normat e veta morale dhe normat e shkruara të cilat janë norma që bazohen në vlerat universale të njeriut, por që përmbajnë edhe specifikat e secilës shoqëri konkrete.

Në faktorët shoqëror e veqanarisht në faktorët social përfshihen vlerat, besimet, qëndrimet, opinionet dhe mënyra e jetesës së individeve që bëjnë pjesë në rrethinën e organizatës.

Faktorët social ndryshojnë me një shpejtësi të madhe pra janë dinamik si rezultat i përpjekjeve të vazhdueshme të individeve për rritjen e mirëqenjës së tyre, duke synuar që ti realizojnë ambiciet individuale në përputhje me nivelin e ambientit që i rrethon, pra një ndikim interaktiv kanë këto përpjekje për plotësimin e nevojave dhe dëshirave të tyre.

Faktorët shoqëror ndikimin më të madh në ndërmarrje e bëjnë përmes kërkesave që ka shoqëria lidhur me përmirsimin e kualitetit të jetës. Parashikimi i faktorëve social në veprimtarin e ndërmarrjes nuk është një punë e lehtë. Mbledhja e informatave për ndikimin e faktorëve social është një punë shumë e vështirë.

Por marrja në konsideratë e variantave të mundëshme që paraqiten, ndërmarrjen e ndihmon në formulimin sa më afër realitetit të objektivave të ndërmarrjes.

Faktorët kulturor

Kultura është një koleksion besimesh, shpresash me vlera të mishëruara me antarët e shoqërisë dhe që transmetohet brez pas brezi. Secila organizatë në rrethinën ku vepronë duhet ta njoh mirë kulturën dhe specifikat e rrethinës.

Ndër faktorët më të rendësishëm kulturor janë: vlerat, besimet, supozimet (shpresat), organizimi familjarë (madhësia e familjes), solidariteti, besa, lidhjet farefisnore etj.

Gjatë vlersimit të zhvillimit të organizatës gjithmonë menaxherët duhet të kenë parasysh përpilimin e strategjisë zhvillimore me kulturën e rrethinës. Mirëpo menaxhmenti gjatë procesit të vendimmarrjes nuk guxon të ndikohet vetëm nga faktorët kulturor. Pra vendimmarrësit nuk do të injorojnë faktorët kulturor, por nuk do ti marrin vendime në kundërshtim me strategjinë dhe objektivat e ndërmarrjes. Pra do të merren vedime që tregojnë përpjekje të përshtatjes së këtyre faktorëve me trendët bashkohor të zhvillimit të shoqërisë.

Një vendimmarrës i kujdesshëm duhet të krahasoj përqindjen e rrezikut me përqindjen e fitimit, kur injorohen ose faktorizohen faktorët kulturor në procesin e vendosjes.

Faktorët politik

Shumë menaxherë u kushtojnë rëndësi të njëjtë si faktorët ekonomik edhe faktorëve politik. Ata mendojnë se suksesi i ndërmarrjes varet në një shkall të lartë nga faktorët politik si madhësia e buxhetit të qeverisë, tatimet, shpenzimet për administratë, për arsim për shëndetësi, siguria për investime etj.

Pastaj faktorë shumë i rëndësishëm politik është edhe reputacioni i vendit në arenën ndërkobëtare dhe marrveshjet tregtare, pastaj kufizimet doganore subvencionet si dhe masat mbrojtëse për prodhuesit vendorë.

Faktorët politik e përcaktojnë parametrat ligjor dhe rregullues mbrenda të cilave ndërmarrja duhet të veprojë. Faktorët politik vërtetë janë të shumtë që vendimmarrësit duhet të i kenë parasysh.

Shumë vendime kur merren duhet ti kenë parasysh ligjet anti trust programe të taksave, politikat dhe programet e mbrojtjes së mjedisit nga ndotja, mbrojtjen e konsumatorëve etj. Në përgjithsi faktorët politik ndikojnë në uljen e mundësive ponteciale të ndërmarrjeve për fitim por krahës këtyre ka edhe veprime politike që janë në favor edhe mbrojtje të intersesave të ndërmarrjeve.

Pra vendimmarrësit duhet të dijnë të i shfrytzojnë favorët që sjellin faktorët politik dhe ti minimizojnë pengesat eventuale.

Faktorët juridik

Faktorët juridik në procesin e vendimmarrjës me zhvillimet e fundshekullit të kaluar mund të themi se janë bërë më të lehtë që të parashikohen. Kur e them këtë mendoj në ndryshimet e mëdha politike në Evropën Lindore.

Me ndërrimet në sistemet shoqërore dhe me ardhjen në fuqi të kapitalizmit ku është legjitimuar me ligje ekonomia e trgut, rregullat e sjelljes dhe ekonomizmit të ndërmarrjeve janë mjaftë të qarta, dhe njëkohsisht janë mjaftë të favorshme në shumicën e situatave.

Faktorët juridik më së shumti ndërlidhen me rrjetin e ligjeve të cilat shpesh nuk mund të përcjellin zhvillimin e shoqërisë dhe ndryshimet dinamike që sjell progresi shkencorë- teknologjik.

Nga vendimmarrësit kërkohet që t'i njohin kufizimet juridike dhe kërkesat në raport me veprimet e ligjeve. Natyrisht shumë vendimmarrës gjatë marrjes së shumë vendimeve kërkojnë medimin e juristëve. Në shumë fusha ligjet përparojnë në përputhje me zhvillimin ekonomik shoqërorë por ka fusha ku zhvillimi i këtyre ligjeve nuk mund ta përcjellë këtë zhvillim dinamik.

Pra procesi i vendimmarrjes ndikon në faktorët juridik por nga menaxherët vendimmarrës kërkohet që të ndërtojnë një strategji të përcjelljes së zhvillimeve në këtë fushë dhe njëkohësisht të minimizojnë kufizimet dhe ndikimet që vështirësojnë arritjen e qëllimit të organizatës.

Faktorët ekonomik

Vendimmarrja ndikohet nga faktorët ekonomik jashtëzakonisht shumë. Ata ndikojnë përmes natyrës dhe drejtimit ekonomik ku ndërmarrja zhvillon aktivitetin e saj.

Vendimmarrja duhet të merr konsiderat prirjet ekonomike të segmenteve të tregut në industrin e saj. Faktorët ekonomik janë shumë të rëndësishëm për suksesin e një ndërmarrje apo industrie.. Shumica e ndërmarrjeve ndër objektivat më të rendësishëm e ka maksimizimin e fitimit.

Ky objektiv varet në mas të madhe nga kualiteti i vendimeve, por edhe nga mjedisi industrial në të cilin vepron ndërmarrja. Pra në këtë rast shihet se faktorët ekonomik janë faktorë të rrethinës, të cilat janë jashtë kontrollit të ndërmarrjes. Niveli i zhvillimit ekonomik ndikon direkt përmes këtyre faktorëve në disa mënyra. Stadi i ciklit ekonomik ndikon drejtpërdrejt në nivelin e invesitmeve dhe shitjeve. Shumë më lehtë është të rritesh shitjet në një koh të lulzimit ekonomik se sa gjatë kohës së rënjes ekonomike.

Andaj ndikimi i faktorëve ekonomik është i favorshëm për ndërmarrjen, por ndikimi i këtyre faktorëve është negative gjatë periudhës së rënies ekonomike.

Produktiviteti relative i ekonomisë, partneriteti i konkurrenteve, efektet e këmbimit import-export janë disa faktorët ekonomik që ndikojnë drejtpërdrejt në vendimmarrje. Nuk duhet përjashtuar edhe ndikimin faktorëve ekonomik ndërkombëtar.

Andaj parashikimi edhe vlersimi i ndikimit të faktorëve ekonomik është pjesa ma kritike e procesit të vendosjes. Parashikimi i ndikimit të faktorëve ekonomik ka të bëj me konditat mjedisorë ekonomike, të ardhurat për frymë, indeksi i çmimit të konsumatorit, raportet e pagave dhe produktivitetit që të gjitha të dhënat për këta faktorë mund të merren nga burimet biznesore dhe qeveritare.

Mirëpo mund të mbështetemi edhe të tendencat historiko ekonomike, por gjithmonë duke pasur parsysh kushtet edhe rrëthina ekonomike nuk mbetet e pa ndyshuar. Përveç faktorëve të lartpërmendur të vendimmarrësit duhet vlersojnë edhe opinionet e konsumatorëve në lidhje me produktet dhe shërbimet.

Kjo arrihet përmes pyetësorëve që shërbejnë për mbledhjen e të dhënave, por ata pyetësor janë të vështirë për tu hartuar dhe nga vendimmarrësit kërkohet shkathtësi dhe kohë për tu dizajnuar.

Nga e tëra që u tha shihet se ndikimi i faktorëve ekonomik në vendimmarrje është jashtëzakonisht komplekse. Faktorët ekonomik me ndikim janë: kapitali, çmimi i punës, politika fiskale dhe tatimore dhe fuqia blerëse.

Faktorët teknologjik

Një ndryshim tekologjik në rrethinën e ndërmarrjes shkakton efekte të papritura. Për vendimmarrësin, parashikimet për progresin teknologjik dhe vlerësimi i efektit të tij, mbi veprimtarin janë shumë domethënëse. Vendimet afariste gjithmonë duhet të parashikojnë ndryshimet teknologjike që influencojnë në aktivitetet e ndërmarrrjes.

Duhet të merren vendime që mund të shmangin vjetërsimit para kohe të makinerive dhe paisjeve që e nxisin novacione ose përshtatjet teknologjike, që krijonë mundësi për prodhimin e produkteve të reja, për përmirësimin e produkteve ekzistuese dhe me këtë sjell krijimin e tregjeve për produktet e reja e cilësore. Vendimmarrësit duhet të parashikojnë edhe zhvillimet teknologjike që kanë të bëjnë me pajisjet që i kanë në përdorim. Pra mençuria e sjellë dijën, ndërsa teknologjia e shfrytzon në praktikë

sjellë dobishmëri për njeriun. Me teknologji kuptojmë dijen e gjithmbarshme që e kemi për mënyrën se si gjërat bëhen. Ndikimet e faktorëve teknologjik shihen në produktet e reja, në pajisjet e reja, materialet e reja dhe në shërbimet e reja. Faktorët teknologjik duhet orientuar në krijimin e favoreve për organizatën. Me pak kreativitet organizata mund të bëjë ndryshime të mëdha në imixhin e organizatës. Mund të kostatojmë se faktorët teknologjik ndikojnë favorshëm në ndërmarrje, nëse vendimmarrja i akordon këta faktorë me objektivat e sajë.

Dobia më e madhe ka të bëjë me rritjen e prodhimit, rritjen e standardit të jetesës, për punonjësit më shumë kohë e lirë, dhe laramani më e madhe e produkteve. Me fjalë tjera faktorët teknologjik kanë aq shumë ndikim në veprimtarinë e organizatës dhe shoqërisë, sa kanë edhe revolucionet në zhvillimin e gjithmbarshëm të shoqërisë, dhe tani quhen edhe revolucione teknologjike.

Faktorët ekologjik

Ekologjia nënkupton marrëdhëniet që ekzistojnë midis njeriut e qenieve të gjalla, nga njëra anë, dhe ujit, tokës dhe ajrit, nga ana tjetër. Zhvillimi i gjithëmbarshëm i njerëzimit ka sjellë me vete edhe ndikime të dëmshme për mjedisin. Si rezultat i këtij zhvillimi sot njerëzimi ka probleme me ngrohjen globale dhe shumë sisteme ekologjike janë para shkatërrimit. Si rezultat i këtyre aktiviteteve njerëzore përherë e më shumë po kërcënohen edhe jeta e njerëzve dhe qenive të gjalla. Ndërmarrjet duke qenë kontribuesit më të mëdhenj të shkaktimit të këtyre problemeve duhet të mbajnë përgjegjësi për ruajten dhe kultivimin e ambientit.

Gjatë procesit të vendimmarrjes menaxherët ndikohen nga kufizimet e faktorëve ekologjik. Këto kufizime kanë të bëjnë me ndërhyrjet e shtetit që obligon ndërmarrjet për ruajtjen e ambienti qoftë përmes deponimit të sigurt të mbeturinave, riciklimit të tyre ose me ndalimin e prodhimit në rast se tejkalohen parametrat e paracaktuar të cilat nuk lejojnë ndotjen e ambientit ose shëndetin e njeriut apo gjallesave të tjera në përgjithësi. Shumë ndërmarrje kanë marrë vendime që zvogëlojnë fitimet nën ndikimin e faktorëve ekologjik.

Konkurrenca dhe tregu si faktor

Secila ndërmarrje duhet të ketë parasysh konkurrencën si njërin ndër faktorët e rrethinës i cili ndikon në afarizmin e sajë. Ndërmarrja e prodhimit të materialit ndërtimor, paraqitet me produktet e sajë në treg dhe ju ofron konsumatorëve të vetë kualitetin e caktuar, mirëpo duhet ditur se ka edhe prodhues të tjerë që ofrojnë produkte të ngjashme. Me këtë rast ajo përballet drejt për drejt edhe me konkurrent tjerë që mund të ofrojnë produkte të ngjashme me çmim më të lirë dhe me cilësi më të mirë. Kur dihet se konsumatorët Kosovar kanë fuqi të kufizuar blerëse, ata mund të humbin produkte të shtrenjta dhe orientohen në produkte më të lira.

Ka mundësi që në treg të paraqitet një produkt i ri i cili me sukses zëvendëson pdroduktin e vjetër dhe kështu konkurrenca e “nxjer” prej loje organizatën. Pastaj mund të ketë konkurrencë të tërthortë ku tregu ofron ndonjë produkt krejt të ri që i zëvendëson produktet aktuale.

Prandaj, vendimmarrësit është me rëndësi të përcjell informatat për gjendjen e konkurrencës së drejtpërdrejt dhe të tërthortë. Pra të përcillet struktura e kostos, formimi i çmimeve, mënyrat e promovimit, drejtimin e lëvizjes së trendëve të ndërtimit dhe aspekte tjera të konkurrencës që ndikojnë në afarizmin e ndërmarrjes. Dihet se në botën bashkëkohore konkurrenca është në rritje e sipër. Në ekonominë e tregut mbretëron një rrethin e pamëshirshme e cila (nuk ka medalje për vend të dytë).
Mirëpo, në shtete moderne janë rregulluar aq mirë mardhëniet shoqërore sa është paraparë edhe marrja e sanksioneve shumë të ashpra po që se shkelen këto rregulla.

Parashihet që konkurenca duhet të jetë e ndershme. Pra konkurenca e mirëfillt e nxit shtimin e vlerave dhe njëkohsisht mundëson produkte më cilësore dhe më të lira.

Pikërishtë për këtë shteti nuk lejon konkurrencën jo lojale, monopolin dhe format tjera të dominimit të pa ligjshëm. Prandaj edhe në procesin e vendimmarrjes këto rregulla të sjelljes kanë ndikim, sepse vendimmarrësit duhet të marrin vendime konform tyre. Rregullatori kryesor i sjelljes së ndërmarrjeve lidhur me çmimin e produkteve është tregu.

Çmimi caktohet në mënyra dhe me metoda të ndryshme, sepse në të ndikojnë faktorë të llojllojshëm. Çmimi është faktorë mjaftë i ndjeshëm për ndërmarrje dhe për konsumatorin.
Një vendim i mirë mund të ndikoj në çmim dhe të sjell fitim për ndërmarrje duke tërhequr blersit. Pra, çmimi është element që i zgjidh kontradiktat e sjelljes së prodhuesve dhe konsumatorve.
Politika e çmimeve ka për synim realizimin e synimeve të ndërmarrjes, maksimizimi e profitit dhe krijimin e shanseve të konsumatorëve që të i kenë produktet apo shërbimet e nevojshme. Ndikimi i këtyre faktorëve në vendimmarrje është i madh dhe dinamik.

Vendimmarrësit duhet të jenë të vëmendshëm që konkurrenca dhe çmimi të mos jetë penges në realizimin objektivave dhe të gjejnë zgjidhje të atilla që të kenë blerës lojal për periudha afatgjata.
Menaxherët mund të merrin vendime të mira që reduktojnë çmimet por njëkohësisht ruajn cilësin e produktit apo shërbimit. Vendimmarrësit gjithmon duhet të parashikojnë rrezikun që një ndërmarrje tjetër të hedhë në trgë një produkt me një çmim të ngjajshëm të organizates së tyre me qëllim që të pushtoj tregun, por vendimet e marra duhet t'i sigurojm organizatës avantazhe të përhershme kostoje në raport me konkurrentet.

Përfundimet

Qëllimi i këtij punimi është indentifikimi i faktorëve të rrethinës dhe shkalla e ndikimit të tyre në vendimmarrje.

Secila ndërmarrje është një sistem, secili sistem për të funksionuar, ndër të tjera duhet të jetë i hapur. Edhe vendosja në sistemet e hapura ndikohet nga faktorët e mjedisit.

Objektiv i punimit eshte që përmes këtij studimi të indentifikojë ndikimet më të rëndësishme të faktorëve të rrethinës në vendimmarrje.
Por njëkohësisht marrësit e vendimeve të informohen dhe të dinë se si të merren vendimet më kualitative, dritën e asaj se ciliët faktorë janë më me ndikim nga mjedisi.

Po ashtu vendimmarrësit përveç se duhet t'i njohin ndikimet më të rëndësishme nga rrethina, ata duhen t'i njohin edhe metodat, mënyrat dhe teknikat e vendosjes, me qëllime të minimizimit të ndikimeve negative, si dhe kthimin e kërcënimeve në përparsi për organizatën.

Po ashtu në këtë punim është trajtuar edhe ndikimi i vendimmarrjes në suksesin afarist të ndërmarrjes.

Përfundimisht para secilit akt të vendosjes duhet ditur se organizatat janë sisteme dinamike dhe të hapura, e që janë në interaksion permanent me rrethinën.

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LIRIDONA GËRXHALIU – INVESTIMET E HUAJA DIREKTE NË KOSOVË

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Abstrakti

Si çdo vend tjetër edhe Kosova është një ndër vendet të cilat si qëllim kryesor kanë zhvillimin Ekonomik. Një ndër mundësitë apo rrugët të cilat duhet të ndjekë në arritjen e objektivave të veta janë edhe investimet e huaja direkte, të cilat kanë një rëndësi të veçantë, sidomos për vendet të cilat janë në tranzicion, siq është edhe vendi ynë.

Investimet e huaja direkte janë një burim shumë i rëndësishëm i flukseve të kapitalit dhe të zhvillimit të ekonomisë. Poashtu investimet e huaja direkte përfshijnë prurjen e teknologjive e njohurive të reja në firmat vendase, rritje të konkurencës, si dhe rritjen e exporteve jashtë vendit. Gjithahstu mund të cekim se investimet e huaja direkte janë të një rëndësie të vecantë për vendët në tranzicion, sepse ndihmojnë financimin e deficitit në vend. Investimet e huaja direkte poashtu ndihmojnë në krijimin e vendeve të reja të punës, rritjen e pagave të punëtorëve, etj. Përveq anëve positive që kanë investimet e huaja direkte, kanë edhe anët negative, si p.sh kanë shpenzime të larta të komunikimit, udhëtimit, etj. Gjithashtu është një mundësi më e madhe e dështimit në pronësinë e një kompanie që ka kompani jashtë, etj. Pra, IHD-të kanë ndikimet e tyre në ekonomi, ndikime me efekte positive por edhe negative.

Fjalët kyqe: Motivet, investimet e huaja direkte, zhvillimi ekonomik, Kosova.

Investimet e huaja direkte

Investimet e huaja direkte luajnë rol shumë të rëndësishëm në zhvillimin ekonomik të një vendi, sidomos për vendet në tranzicion, duke u bazuar në rritje afatgjatë të kapitalit, ndryshim në strukturën ekonomike te vendit, poashtu ndikon në rritjen e aftësisë konkuruese të ekonisë së vendit ndërmjet transmetimit të teknologjisë, forcimin e infrastrukturës, rritjen e produktivitetit si dhe ndikon në gjenerim të vendëve të reja të punës. Njëkohësiahtë investimet e huaja direkte kanë një rol pozitiv në ekonominë e vendit, duke ndihumar vendin në ristrikturim të ekonomisë, njëashtu në uljen e deficitit si dhe rritjen e eksportit. Investimet e Huaja Direkte (IHD) të pranuara në Kosovë në periudhën janar-qershor 2014 shënuan vlerën prej 38.9 milionë euro që është për 110.1 milionë euro më ulët krahasuar me periudhën e njëjtë të vitit paraprak. Gjithashtu, investimet e rezidentëve të Kosovës në vende tjera ishin dukshëm më të ulëta krahasuar me periudhën e njëjtë të vitit paraprak dhe arritën vlerën prej 1.5 milionë euro253.
Vlera e ulët e investimeve të huaja direkte vie kryesisht nga shitja e aksioneve nga disa kompani të huaja të cilat operojnë në vendin tonë, të cilat iu shitën rezidentëve kosovar si dhe shpërndarjes së superdividendës nga disa prej kompanive të huaja.

Sipas Manualit të Bilancit të Pagesave të Fondit Monetar Ndërkombëtar "Investimi Direkt është një kategori e investimeve ndërkombëtare, të cilat pasqyrojnë sigurimin e të ardhurave të qëndrueshme nga një subjekt rezident i një ekonomie në një subjekt që është rezident në një ekonomi tjetër dhe ka një shkallë të konsiderueshme të ndikimit në menaxhimin e këtij të fundit".(FMN, 1993)

[253] Banka Qëndrore e Kosovës, (2015), "Raporti i Zhvillimeve Makroekonimike", Prishtinë, faqe 36

Investimet e huaja direkte kanë formën e investimeve kapitale të cilat ndahen në investime të huaja direkte si dhe në investime protofol.
Investimet e huaja direkte janë investime të cilat investitorit i japin kontrollin e kompanisë, nuk është e domosdoshme që kontrolli të jetë në formën 100% e as 50% mund të jetë edhe 49% e kontrollit ndërsa pjesa tjetër t'iu shpërndahet aksionarëve tjerë.

IHD-të janë shumë më komplekse për nga natyra sesa investimi portofol, pasi shpesh herë ato përfshijnë edhe transferimin e mjeteve bazë siç janë njohuritë teknologjike, dhe aftësitë menaxheriale dhe organizative.254 Investimet protofol jashtë vendit deri në qershor të vitit 2014, përbëjnë vlerën prej 53.4 milion euro. Ku pjesa më e madhe e këtye investimeve përbëhet nga fondet pensionale në instrumente të ndryshme financiare jashtë vendit.

Ekzistojnë tri mënyra për tërhjekjen e investimeve të huaja në një vend. Një nga mënyrat është që firmat e huaja të investojnë drejtëpërdrejtë në një vend. Mënyra e dytë është atëherë kur firmat investojnë nëpërmjetë huamarrjes në tregun botërorë të kapitaleve ose nëpërmjet institucioneve financiare siq është Banka Botërore. Atëherë kur vendi shfrytëzon ndihmë nga vendet e industrializuara, përdorë mënyrën e tretë për zhvillim të investimeve në ate vend. Kosova përballet me një numër të vogël të kursimeve të huaja për të ardhura për frymë (për capital)255, edhe se kursimet e huaja janë të një rëndësie të madh për një vend.

Disa nga mënyra të hyrjes së firmave në treg mund të jenë, nga ana e investimeve nga fillimi(Greenfield), nga bashkimet dhe nga ana e blerjes. Një investim nga fillimi ndodh kur një firmë, si e vetme ose së bashku me një firmë tjetër, (d.m.th., në një sipërmarrje të përbashkët) fillon aktivitet të ri në vendin pritës. Një blerje ndodh kur një firmë blen nga një pjesë (d.m.th., blerje e pjesshme) ose tërë kapitalin (d.m.th., blerje e plotë) e një firme të synuar në një vend pritës. Në përgjithësi, IHD-të mund të marrin një nga tri këto forma: investime nga fillimi (ose ndryshe në fushë të blertë), bashkime ose blerje shoqërish, si dhe krijime të shoqërive të përbashkëta256.

Motivet që i nxisin IHD-të

Duke pasur parasyshë faktin që investimet e huajaë direkte janë të një rëndësie të veçantë për një vend, njëashtu ndikojnë në zhvillim ekonomik të vendit, secili vend poashtu edhe vendi ynë bënë përpjekje që të tërhjek sa më shumë investitorë. Mirëpo, investitorët duhet të kenë motivë për të investuar në një vend. Siq e dimë secili investitorë inveson në një vend tjetër për të krijuar të ardhura më të mëdha, sesa të investonte në një vend tjetër. Çdo investirorë do të investonte në atë vend ku do ti krijonte kushte të mira për të bërë biznes.

Disa nga motivet që nxisin investitorët e huaj që të investojnë në vendin pritës, edhe pse mund të ndyshojnë nga vendi në vend, mund të jenë:
→ Madhësia e tregut dhe perspektivat e rritjes së tij;
→ Niveli i pagës dhe produktiviteti i punës;
→ Infrastruktura e mirë;
→ Stabiliteti politik dhe masat që merren për nxitjen e IHD-ve;
→ Mungesa e korrupsionit dhe nxitja e konkurrueshmërisë ndërmjet firmave;
→ Përmirësimi i mjedisit të investimeve, si: regjistrimi i biznesit, procedurat e licensimit, lehtësia e të bërit biznes, mjedisi i përshtatshëm për biznes etj. Edhe struktura e taksave mund të ketë një ndikim të rëndësishëm në perspektivat e investimeve.

254 Sezer, H. (2006) "Foreign Direct Investment", in Piggott, J. and Cook, M. *International Business Economics: A European Perspective*, fq. 187
255 Badivuku-Pantina, M., (2008), "The importance of Foreing Direct Investiments on Economic Development of Kosova", Revista ndërkombëtare "Lex et Scientia", No.XV Vol.2/2008, Bucharest.
256 Zisi, A., (2014) "Ndikimi i investimeve të huaja direkte në rritjen ekonomike dhe faktorët nxitës në përthithjen e tyre rasti i Shqipërisë", Universiteti "Aleksandër Mojsiu" Durrës.

Privatizimi i ndërmarrjeve shoqërore është një ndër alternativat e shumta që vendeve në tranzicion ndjekin për tërheqjen e kapitalit jashtë, njëashtu edhe për vendin tonë ka pasur një rëndësi të veqantë në tërheqjen e IHD-ve. Duke e ditur se ndërmarrjet kosovare nuk kanë fuqi të mjaftueshme ekonomike që do të kërkohen për shitjen e ndërmarrjeve të reja. Këta qdoher e më shumë janë duke u ballafaquar me mungesë të kapitalit të freskët, ku një nga alternativat është përdorimi i kredive nga bankat, mirpo kushtet të cilat i ofrojnë bankat janë të pavolitshme për ti shfrytëzuar. Dhe alternativë e vetme mbetet tërheqja e investimeve, jo vetem për tërheqje të kapitalit të freskët mirpo edhe për transferim të teknologjisë dhe të how-know.

Përcaktuesit e IHD-ve

Si përcaktues kryesorë të IHD-ve, përfshijnë potencialin dhe madhësinë e tregut pritës, qëndrueshmërinë ekonomike, shkallën e hapjes së vendit pritës, nivelin e të ardhurave, cilësinë e institucioneve dhe nivelin e zhvillimit ekonomik të vendit pritës257.
Lipsey dhe Kravis theksojnë se infrasruktura e vendit pritës luan një rol të rëndësishëm në tërheqjen e IHD-ve258. Modeli i Easterlit parashikon se të ardhurat fillestare dhe inflacioni ndikojnë negativisht në rritjen reale të PBB-së, ndërsa kapitalit human, IHD-të, infrastruktura në telekomunikacion dhe zgjerimi i OECD259-së ndikojnë pozitivisht në rritjen reale të PBB-së260.

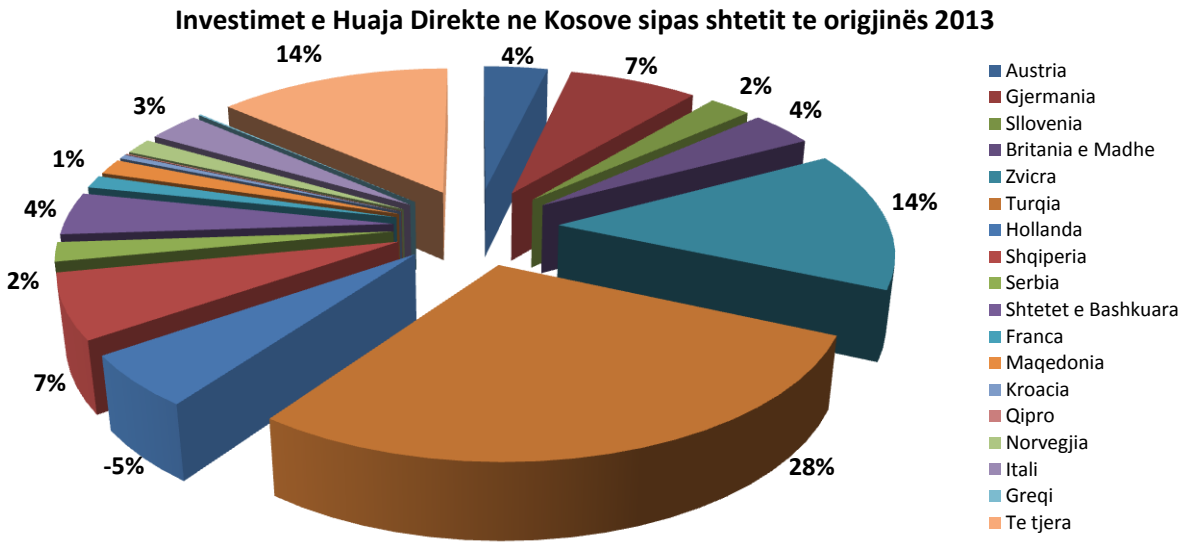
Mund të thuhet se qëndrueshmëria ekonomike e politike, madhësia e tregut, shkalla e hapjes së vendit, niveli i taksave, politikat tregtare, politikat qeveritare, aspekti institucional dhe cilësia e infrastukturës përbëjnë përcaktuesit kryesorë që duhet të kenë vendet pritëse për të tërhequr një numër sa më të madh të IHD-ve.

Vendi ynë paraqet një klimë jo edhe aq të favorshmë për tëheqjen e investitorëve të jashtëm. Investitorët e huaj ngurrojnë që të investojnë për shkak të preceptimeve të tyre lidhur me joefikasitetin në administratën publike. Disa nga pengesat tjera të cilat ndikojnë në tërheqjen e investitorëve janë:
Barrierat ligjore,
Korrupcioni,
Stabiliteti politik,
Tregu i kufizuar,
Telekomunikimet
Mungesa e energjisë elektrike,
Mungesa e garantimeve të investimeve.

Origjina e Investimet e Huaja Direkte – Kosovë

Ndër vite situata e Investimeve të Huaja Direkte sipas shtetit nga e kanë origjinën ndryshon. Në vitin 2007 dhe 2011 pjesa më e madhe e IHD-ve e kanë origjinën nga Britania e Madhe me një vlerë prej 116.16 dhe 80.1 milionë euro. Në vitin 2008 IHD-të më së shumti vijnë nga Austria me një vlerë prej 51.3 milionë euro.
Gjermania është shteti nga e kanë origjinën shumica e Investimeve të Huaja Direkte për vitet 2009 dhe 2010. Gjatë këtyre viteve ky shtet ka investuar në Kosovë përkatësisht 75.15 dhe 91.54 milionë euro. Për dy vitet e fundit nën analizë 2012-2013, konsiderohet se është Turqia e cila ka investuar më shumë në shtetin kosovar. Në vitin 2012 Investimet e Huaja Direkte nga ky vend shënonin vlerën e 65.55 milionë eurove dhe një vit më vonë 82.73 milionë euro.

257 Walsh dhe Yu. 2010. "Determinants of FDI: A Sectoral and Institutional Approach", IMF, Working Paper, WP/10/187.
258 Lipsey dhe Kravis. 1982. "Location of overseas production and production for exports by US multinational firms", Journal of International Economics, fq. 201-223.
259 Shënim: OECD – organization for Economic Co-operation and development
260 Easterly, W. 2001. "The Lost Decades: Developing Countries' Stagnation in Spite of Policy Reform 1980-1998", Journal of Economic groëth, vol. 6, fq. 135-157.



Ndërsa për vitin 2014, vendi prej nga kanë ardhë më së shumti investimet e huaja direkte është Zvicrra me 15.3 milon euro, duke pasuar nga Austria, Gjermania dhe Shqipëria të cilat investuan përafërsishtë 13 milion euro secila261. Krahasuar me periudhën e njetë të vitit të kaluar, investimet nga Austria dhe Shqipëria kanë shënuar rritje, ndërsa investimet në Kosovë nga Austria kanë shëuar rëni edhe pse prap mbetet një nga vendët me përqindje më të lartë të investimeve të huaja për periudhën qershor 2014.
Më 31 Mars 2014 gjendja e IHD-ve në Kosovë paraqitet: me vendet e Bashkimit Europian janë kryer 962.83 milionë euro Investime Hyrëse të Drejtpërdrejta dhe 53.81 milionë euro Investime të Drejtpërdrejta Dalëse; me shtetet e tjera Europiane janë kryer 534.32 milionë euro IHD Hyrëse dhe 75.4 Investime Dalëse- dhe me shtetet e tjera Joeuropiane janë kryer 111.31 milionë euro IHD Hyrëse dhe 11.41 IHD Dalëse.

Investimet e Huaja Direkte ne Kosove sipas shtetit te origjinës gjendja me 31 Mars 2014
Vlera ne milionë euro

Rajoni	IHD Hyrëse	IHD Dalëse
Bashkimi Europian	962.83	53.81
Shtetet e tjera Europiane	534.32	75.40
Shtete te tjera Joeuropiane	111.31	11.41
Te paspecifikuara	1,199.34	-
TOTALI	2,807.80	140.62

Burimi: Banka Qendrore e Kosovës

Lidhja në mes IHD-ve dhe rritjes ekonomike

Duke u bazur në studime të mëherëshme vijmë në përfundim se IHD-të rrisin efiçencën e burimeve dhe faktorët e prodhimit në vendin pritës, njëashtu IHD-të ndikojnë pozitivisht në rritjen ekonomike të një vendi. Përfitimet që vijnë nga IHD si rritja e potencialit konkurrues ndërmjet prodhimit bruto të kompanive, hyrjes së teknologjive të reja, eksperiencës në aftësitë menaxheriale, rritja e njohurive mbi prodhimin nga kontaktet me investitorët e huaj si dhe mundësitë për prodhim optimal të burimeve njerëzore dhe rritjen profesionale të tyre, kanë një ndikim të madh në rritjen ekonomike të vendit262.

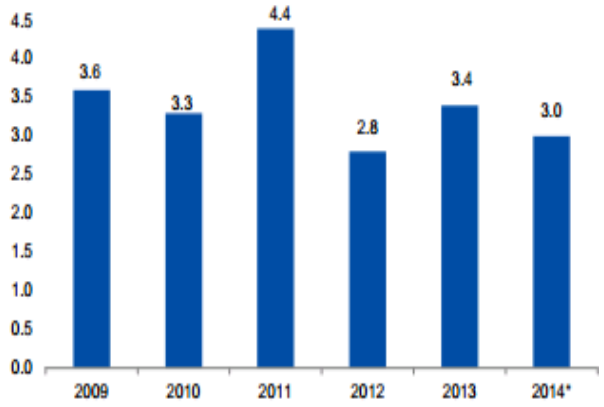
[261] Banka Qëndrore e Kosovës, (2015), "Raporti i Zhvillimeve Makroekonimike", Prishtinë, faqe 39
[262] NakuçiV., Zizo K, (2005) "Foreign direct investment (FDI) – the promoter of groëth in the Albanian economy", South-East Europe Revieë 1/2006

IHD-të shfaqen në formë të kompanive shumëkombëshe në vendin pritës, duke ngritur operacionet lokale nëpërmjet bashkimeve të tyre për te mundësuar rritje në prodhim si dhe zvogëlim të papunësisë. Mirëpo jo vetëm investimet e huaja direkte ndikojnë në rrijten ekonomike. Edhe rritja ekonomike mund të ndikoj në rritjen e IHD-ve. Kompanitë e huaja të cilat vinë dhe investojnë në vendin tonë gjithësesi marrin parasyshë edhe rriskun e investimit, njëashtu edhe të dhënat e ekonomisë. Një vend me ekonomi të zhvilluar, rritje ekonomike të lartë do të ishte tërheqës për investitorë, duke marrë parasysh që produktiviteti në atë vend rritet çdo vit dhe në atë vend mund të krijon të ardhura.
Përvoja e zhvillimit ekonomik në dekadat e fundit e sidomos kur është fjala për vendet në zhvillim e ka vënë në pah faktin se investimet konsiderohen të rëndësishme për shkak të efekteve të tyre të shumëanshme pozitive e sidomos për shkak se:

- Është konstatuar një lidhje pozitive midis investimeve dhe rritjes së bruto produktit të vendit, në saje të rritjes së mundësive eksportuese dhe efekteve stimuluese në bizneset lokale dhe përmirësimit të konkurrencës,
- Investimet sigurojnë efekte më të mira për zhvillim të qëndrueshem sesa huazimet në formë të kredive, për shkak të involvimit direkt të investuesit në menaxhment, reduktimit të ngarkesës me borgje, dhe nxitjes së zhvillimit ekonomik dhe social të kapitalit human në saje të transferit teknologjik, dijeve të reja dhe trajnimit.

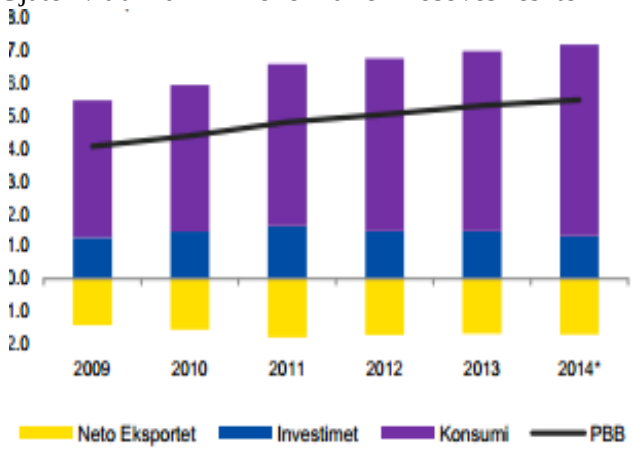
Efektet pozitive në buxhet: rritjes së të ardhurave buxhetore që vjen si rezultat i rritjes së taksave dhe zvoglimit të nevojës për subvencione në shërbimet publike.

Figura 1. Rritja reale e PBB-së, në përqindje



Burim: ASK (2015)

Figura 2. Komponentat kryesore e PBB-së, vlera nominale, në milon euro



Burim ASK (2015)

Gjatë vitit 2014 Ekonomia e Kosovës është karakterizuar me një përformancë positive, rritje te PBB. Duke u bazuar në vlerësimet e BQK-së, norma reale e rritjes ekonomike për vitin 2014 është 3.0 përqind. Rritja ekonomike gjatë vitit 2014 vlerësohet të jetë gjeneruar nga konsumi privat dhe publik, ndërkohë që investimet dhe neto eksportet vlerësohet të kenë ndikuar negativisht në rritjen ekonomike. Vlera nominale e PBB-së, sipas vlerësimeve të BQK-së, ishte 5.5 miliard euro në vitin 2014. Krahasuar me vitin e kaluar vendi ynë ka treguar një zvogëlim të shumës së përgjithshëm të BPB-së, në të cilën e shohim nga vlerësimet e BQK-së se për vitin 2013 BPB-ja ka qenë 3.4% ndërsa për vitin 2014 po e shohim se kemi një rritje prej 3.0%.

Konsumi i përgjithshëm është komponenta kryesore e PBB-së në Kosovë me një pjesëmarrje prej 107.0 përqind, vlerësohet të jetë karakterizuar me rritje prej 5.8 përqind në vitin 2014 krahasuar me vitin paraprak (figura2). Kjo rritje e përshpejtuar e konsumit mbështetet kryesisht në rritjen e konsumit privat prej 5.8 përqind gjatë kësaj periudhe, kryesisht si rezultat i peshës më të madhe që ka (84.5 përqind) në gjithsej konsumin. Rritja e konsumit privat prej 5.8 përqind i atribuohet kryesisht

rritjes së remitencave dhe kredive konsumuese, përderisa rritja e shpenzimeve rrjedhëse të qeverisë (konkretisht pagave dhe mëditjeve dhe subvencioneve e transfereve) vlerësohet të ketë ndikuar në rritjen e konsumit publik prej 6.2 përqind dhe rrjedhimisht, konsumit të përgjithshëm në vend. Duke u bazuar në vlerësimet e BQK-së shohim se investimet e huaja direkte, edhe pse janë një shtytës i zhvillimit ekonomik të vendi, gjatë kësaj periudhe nuk kanë ndikuar pozitivisht në zhvillimin ekonomik të vendit tonë, pra përveq faktorëve pozitiv që IHD-të sjellin në rritjen ekonomike, ka gjasa që të kemi edhe impakt negativ. Ku shkaqet mund të jenë nga faktorët politikë e ato social.

Konkluzione dhe Rekomandime

Investimet e huaja direkte, janë një nga treguesit më të rëndësishëm i besimit të investitorëve të huaj në një vend. Nëse vendi përballet me kriza ekonomike dhe politike, eshtë shumë e qartë që investimet e huaja direkte do të ulen në atë vend, mirpo ato do rriten në kushtet e përmirësimit të ambientit ekonomik dhe politik. Vendi ynë përballet me një ekonomi në tranzicion e cila, sikurse cdo ekonomi në zhvillim dhe tranzicion, përballet me disa dukuri negative sic janë: niveli i lartë i papunësië, varfërisë, GDP e ulët si dhe rritje të importeve. Prandaj, terheqja e investimet të huaja direkte edhe për vendin tonë krijojnë njër rol të rëndësishëm në përmirësimin e këtyr dukurive negative.

Në shumicën e vendeve në tranzicion siç është Kosova depërtimi i kapitalit të huaj, kryesisht realizohët përmes procesit të privatizimit, ndërsa pjesmarrja e investimeve të reja,"GREENFIELD" është shumë e vogël. Kosova është duke bërë përpjekje për krijimin e kushteve të mira për investime të huaja direkte, për politika ekonomike, pmirërsimi i një klimë më të mirë në vend, ndërtim të infrastruktures rrugore etj. Të cilat padyshim ndikojnë në zhvillim ekonomik më të mirë të vendit. Institucionet e Kosovës duhet të bëjnë përpjekje në përmirësimin e disa prej pengesave që janë identifikuar nga ana e investitorëve të huaj, infrastruktura fizike, procedurat burokratike, mjedisi politik, korrupsioni, reforma ne administratën qeverisë dhe në sistemin arsimor.

Furnizimi jo i rregullt me energji elektrike, mbetet një ndër pengesat për tërheqjen e investimeve në Kosovë, edhe pse është punuar shumë në këtë drejtim mirpo prap mbetet një ndër pengesat për tërheqjen e investitorëve të huaj.

Në Kosovë duhet të bëhet një politikë aktive që do ta përmirësonte promovimin e mundësive për bashkëpunim me investitorët e jashtëm, rritjen e aftësive konkurruese në tregun e investimeve, njëashtu edhe për tërhjekjen e investimeve të përbashkëta.

Krahasuar me vendet në rajon, investimet e huaja direkte në Kosovë, momentalisht janë pothuajse më të voglat. Mirëpo, krijimi i kushteve të favorshme për investime, do të tërhiqte një numër më të madh të investitorëve te huaj, të cilët nuk do të hezitojnë të investojnë në vendin tonë.

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PHD. (C) RAGIP GJOSHI – ORGANIZIMI I INSTITUCIONEVE ARSIMORE NË KOSOVË-MODELI I MENAXHMENTIT BASHKËKOHOR DHE TË SUKSESSHËM

PHD. (C) RAGIP GJOSHI
Fakulteti Edukimit, Universiteti "Hasan Prishtina " ne Prishtine

Në këtë punim jam përpjekur të bëjë argumentimin shkencor për ta kuptuar organizimin e punës së shkollës dhe universitetit në kontekst të vlerave shoqëroro-ekonomike dhe të objektivave të paramenduar. Është fakt i pamohueshëm se zhvillimin e organizimit të mësimit dhe punës në shkollë e përcjellin të gjitha ndodhitë dhe ndryshimet të cilat bëhen në sferën ekonomike dhe politike të jetës shoqërore. Çështja e vizionit, qëllimeve, rritjes dhe zhvillimit të kurrikulës së shkollës, respektivisht universitetit dhe organizimi gjithëpërfshirës arsimor gjithnjë janë vazhdim i të njëjtave çështje në segmente të ndryshme të jetës shoqërore.

Ndoshta do të duhej megjithatë të vetëdijesohemi për faktin e pasigurisë së ardhmërisë së shek. XXI për çka shkolla dhe universiteti si organizata duhet të ndryshojnë konstruktin e vet, të bëhen më pak të varur për imponime, më shumë e orientuar kah hulumtimet, por vazhdimisht e hetuar për efektin moral- ndërsa e gjithë kjo në emër të çudisë së mësimit e cila quhet zbulim, pranim dhe e hetuar nga aspekti etik për ndryshimet e njeriut dhe botës.
Më poshtë do të përpiqemi të japim disa mendime lidhur me aspektet e menaxhimit dhe të tipareve të menaxhereve dhe të menaxhimit, me theks të veçantë në menaxhimin e institucionit arsimor në Kosovë.

Kultura e udhëheqjes së institucioneve edukativo-arsimore në Kosovë

Autorët amerikan Buchanan dhe Huczynski, mendojnë se kultura organizative, e një menaxheri, është diçka më shumë që një institucion "është" se sa që një institucion "ka".263 Në përgjithësi kultura organizative ka të bëjë kultivimin e qëndrimeve, përvojave, besimeve dhe vlerave të një institucioni arsimor. Prandaj mund të thuhet edhe se kultura e institucionit është një përmbledhje specifike e vlerave dhe normave që shkëmbehen ndërmjet njerëzve dhe grupeve në një institucion dhe kontrollin e mënyrës që ata ndërveprojnë me njëri tjetrin dhe me kolegët e tyre jashtë institucionit. Pra gjithçka që është krijuar brenda dhe jashtë shkollës, institucionit arsimor e me të cilën dallohet nga institucionet tjera si motra. Autorë të ndryshëm prekin dimensione të ndryshme të kulturës organizative, ndërsa vlen të përmendet Stephen P. Robbins, që konsiderohet si baba i teorisë së sjelljes organizative, i cili konsideron se për kulturën organizative thelbësore janë shtatë karakteristika qenësore, siç janë:

Krijimi dhe pranimi i rrezikut, deri në çfarë shkalle të punësuarit janë të inkurajuar të jenë kreativë dhe pranues të rrezikut;

Prandaj është detyrë dhe përgjegjësi e menaxherit të institucionit arsimor që të ndikojë në përgatitjen edhe profesionale dhe sociologjike të stafit punues për ta përballuar çdo sfidë, por edhe për ta ndihmuar dhe motivuar për sukses personal si dhe kolektiv.

Orientimi në detale, deri në çfarë shkalle janë të priturat e të punësuarve të demonstrojnë precizitet, analizë dhe vëmendje në detale;

Kjo ka të bëjë me dieagnostifikimin që një menaxher duhat ta bëjë institucionit që drejton. Ky diagnostifikimi nuk ka të bëjë me caktimin e terapisë, por me identifikimin e anëve të forta dhe

[263] Sipas, S. P. Robbins, (2005) Essentials of Organiztional Behavior, Pearson Education International, New Jersey, fq.231.

dobësive që mund të ketë institucioni që merr në drejtim. Pastaj në bazë të një diagnostifkimi ai dhe do të ndërmarr, apo planifikojë e projektojë gjithë hapat e nevojshëm për avancim apo për përmirësim të të gjitha poreve organizative të atij institucioni. Pa pasjen e një pasqyre të këtillë asnjë menagjer nuk ka mundësi të dijë ta orientojë veprimtarinë, dhe veprimet për quarjen para të institucionit. Ndërsa synim i secilit është pikërisht kjo-quarja para, arritja e suksesit dhe raportimi te vartësit për të.

Orientimi në rezultate, deri në çfarë shkalle menaxherët janë të fokusuar në rezultate se sa në teknikat dhe proceset për arritjen e këtyre rezultateve;

Sipas autorit, menaxheri i mirë duhet të ketë njohuri solide edhe nga fusha e marketingut në ratet kur ai duhet ta orientojë institucionin, t'i jap kahe kah arritja e suskesit. Secili menaxher që në fillim duhet të vendosë disa pika kulmore të cilat synon që t'i arrijë. Cilat do të mund të ishin ato pika kulmore, ose thënë ndryshe objektiva të organizatës? E para, me Udhëzimin e 2014, për drejtor shkolle, kërkohet që kandidati i mundshëm para panelit intervistues, por edhe institucionit në të cilin konkurron për drejtor, duhet ta prezanojë një Plan zhvillimor. Konturat e këtij plani zhvillimor janë të dhëna në Udhëzimin administrativ264. Aty si pikë e parë është dhënë, si kërkesë për njjë plan zhvillimor të suksesshëm, formulimi i një vizioni për institucionin. Ky vizion duhet të jetë pika kryesore orientuese për të nga e cila pikë më vonë do të përcaktojë edhe objektivat, apo caqet se ku do të mbërrijë institucioni pas një periudhe të caktuar ose brenda një mandati. Këto pika orientuese të vendosura, objektiva apo rezultate të pritura duhet të bazohen në kushtet dhe potencialet reale të institucionit. Nëse këta objektiva, rezultate të synuara janë jo të studjuara mirë, dhe në shpërputhje me potencialet aktuale të institucionit, por edhe të vet menaxherit, atëherë kjo mund të kalojë në domenin e një ëndërre të bukur, e cila do të zgasë aq sa zgjatë gjumi letargjik i kandidatit.

Prandaj, menaxheri të cilin synojmë ta kemi, në shekullin e zhvilllimit të hovshëm të tekniks dhe të teknologjisë, por edhe të zhvillimit të shkencave të menachimit, të ndryshimeve të mëdha dhe të shpejta në vet fushën e arsimit, sistemeve arsimore, kërkohet që me rastin e formulimit të vizionit të institucionit që menaxhon, ose e synon atë, ta studjojë mirë, të identifkojë rezultate të arritshme të matshme dhe reale. Të gjitha këto duhet zbërthyer në veprime konkrete të planifikuara dhe të orientuara kah rezultatet.

Orientimi kah njerëzit, deri në çfarë shkalle vendimet e menaxherëve dhe efektet e rezultateve ndikojnë në punonjësit e organizatës;

Asnjë menaxher nuk do të mund ta drejtonte një institucion pa pjesën tjetër të stafit. Dihet se në çdo institucion kemi njerëz që punojnë, të tjerë që presin urdhëra apo detyra nga lartë, por edhe të tillë që vazhdimisht bishtnojnë, ose mundohen t'u shmangen detyrave dhe përgjegjësive. Zakonisht kjo kaetgoria e fundit edhe janë më të zëshmit në kundërshtimin dhe rezistencën ndaj ndryshimit në organizatë265, sepse çdo ndryshim për ta është një 'çrregullim' i rehatisë prandaj edhe vjen deri te aktivizimi i mekanizmave rezistues ndaj ndyshimit.

Për arsye të mobilizimit të domosdoshëm të resurseve humane brenda institucionit, menaxheri duhet së pari ta studjojë mirë këtë resurs, të identifikojë mundësitë dhe potencialet e secilit, por edhe të gjej se ku mund të jenë pengesat kryesore, ose të mundshme për arritjen e objektivave të përcakuar në planin zhvillimor dhe menaxhues. Gjatë 'skanimit' të resurseve humane menaxheri duhet të ketë kujdes se për cilën pjesë të stafit mund të ketë ndonjë ndikim të mundshëm, pozitiv apo edhe negativ, mund ta cenojë ndonjë interes të dikujtë brenda institucionit, apo edhe interesin e përbashkët të tij.
Pas pasjes së një pasqyre të këtillë të resurseve njerëzore, menaxheri pastaj edhe mund të ndajë detyrat dhe përgjegjësitë individuale dhe grupore. Është me rëndësi që gjatë ndarjes së detyrave dhe përgjegjësive të ofrojë sqarime adekuate dhe të mjaftueshme për secilin pranues –marrës të detyrës a përgjegjësisë. Sqarimi me kohë dhe i plotë i marrjes së detyrave dhe përgjegjësive të reja është me rëndësi për të dy palët, për menaxherin dhe për punëtorin/stafin, sepse paraprakisht njihen me

[264] Shih MAShT, (2011)Udhëzimi administrativ për PZHSH.
[265] Mikel Fullan, (2004), Fuqia e ndryshimit 3, Prishtinë.

përmbajtjen, vështirësitë, mundësitë dhe kahet e zhvillimit të procesit dhe të aktivitetit për arritjen e objektivit të përcaktuar në detyrë266, por edhe mobilizimi i forcave dhe mundësive intelektaule të tij. Pasja e një pasqyre të interesave dhe të motiveve punuese për secilin të punësuar në institucion ndihmon menaxherin në marrjen e hapave të mëtejshëm,por edhe në ndarjen e përgjegjësive dhe detyrave për personelin e instiucionit. Gjithashtu një hap i këtillë i shërben atij për kërkimin e rapotimit për punën bërë nga anëtarët t instiutcionit.

Orientimi në ekip, deri në çfarë shkalle punët janë të organizuara më shumë në grupe sesa në individë;

Organizimi i punës, ndarja e punëve dhe e përgjegjësive brenda një institucioni është njëra ndër shkathtësitë menaxheriale. Sot në teorinë e menaxhimit, organizimi i punës ekipore është një çështje e pakaparcyeshme, por edhe që ka dhënë sukses në arritjen e rezultateve të pakuntestueshme. Asnjëherë nuk mund të anashkalohet roli i individit, përkushtimi dhe profesionalizmi individual i secilit pjesëtarë të institucionit, por në shumë raste është i pamundur që individi ta luaj rolin e ekipit në kryerjen e detyrave punuese.
Shkathtësia e një menaxheri shihet në organizimin e ekipeve punuese, përcaktimi i detyrave dhe përgjegjësive për ekipin, ekipet punuese si dhe përcaktimi i detyrave dhe i përgjegësive për secilin anëtarë të ekipit. 267

Është e nohur se në punën ekpore shfaqen edhe probleme organizative, por edhe njëlloj i rezistencës nga ndonjëri nda anëtarët e ekipit. Në shumë raste jo të gjithë anëtarët e ekipit funksioniojnë si duhet. Pothuaj në të gjitha rastet gjenden individ që fshihen nën hijen e ekipit, përjetojnë suksesin e grupit, por akuzojnë në raste se puna e ekipit nuk del me sukses.

Agresiviteti, deri në çfarë shkalle njerëzit në punë janë agresivë dhe konkurrues sesa të shkujdesur;

Raportet sociale midis anëtaërve të një institucioni, njohja e atyre raporteve nga ana e menaxherit është me rëndësi të veçantë. Secili menaxher duhet ta bëjë të qartë sociogramin e organizatës së vet. Në kuadër të këtij sociogrami duhet të lexojë me saktësi se çfarë janë raportet sociale midis grupeve dhe nëngrupeve të mundshme në institucionin që menaxhon. Tek e fundit ai duhet të ketë njohuri për raportet midis tyre, të shfrytëzojë këtë njohuri për formimin e ekipeve punuese funksionale, por edhe të shmangë konfliktet apo mosmarrëveshjet e mundshme midis njerëzve për ta bërë më funksuonale punën, por edhe arritjen e suksesit të organizatës në përgjithësi. Ndoshë shpesh që, në emër të një konkurrence punuese, midis njerëzve të lindin edhe gjelozi, por edhe mosmarrëveshje të cilat dëmtojnë ore pengojnë arritjen e rezultateve të institucionit arsimor.
Menaxheri duhet të zhvillojë një konkurrencë të shëndosh midis punonjësve, duhet të gjej forma dhe mjete për stimulimin e punës dhe të konkurrencës së shëndosh midi tyre.
Çdo shprehje e agresisvietit duhet të ndërpritet dhe të mos anashkalohet nga ana e menaxherit, sepse ajo pastaj mund të adrsojë problme edhe më të mëdha të pa shërueshme dhe të dëmshme për institucionin arsimor.268

Stabiliteti, deri në çfarë shkalle veprimet organizative orientohen në ruajtjen e statuskuo-së sesa në rritjen e saj.269

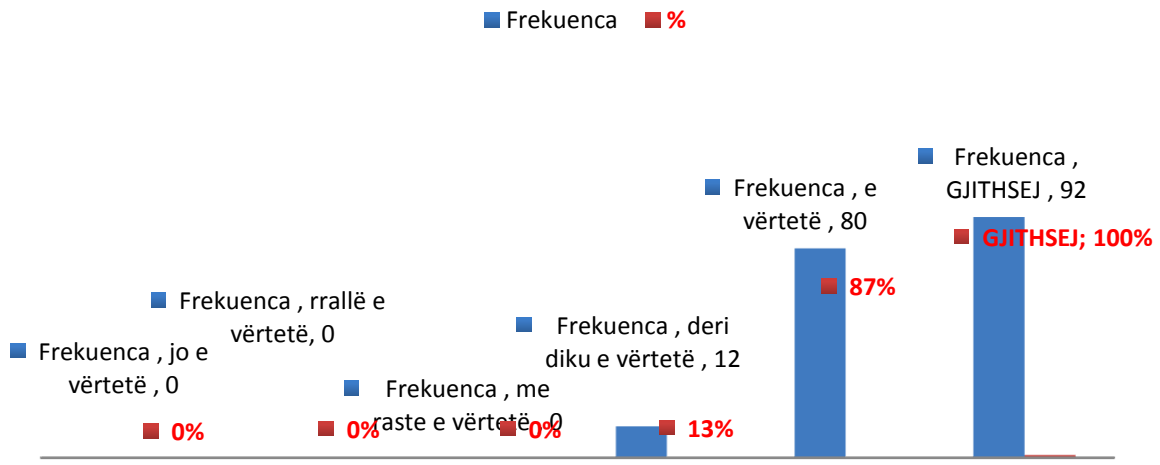
MASHT nëpërmjet ligjeve, rregulloreve, udhëzimeve administrative ka normuar se cilat janë qëndrimet, përvojat, besimet dhe vlerat që duhet të përmbajë një institucion arsimor në Kosovë. Në këtë drejtim edhe drejtoritë komunale, vetë institucionet arsimore dhe asociacionet profesionale të arsimit i kanë kodifikuar këto vlera nëpërmjet rregulloreve apo të kodit të mirësjelljes. Kjo aq më tepër kur misioni i institucioneve arsimore është pikërisht krijimi, kultivimi dhe përparimi i këtyre vlerave shumë të rëndësishme për punonjësit, institucionin dhe shoqërinë në përgjithësi. Nuk mund të

[266] Po aty, fq. 76.
[267] Po aty, fq. 32.
[268] Po aty, fq.38.
[269] Po aty, fq. 139.

ankohemi se kemi dokumente të dobëta, por mund të ankohemi për gatishmërinë e ulët të zbatimit të tyre nga të gjitha nivelet. Besojmë se me kuptimin e rëndësisë së kulturës organizative në arritjen e rezultateve të punës dhe zhvillimit të shoqërisë në përgjithësi, edhe zbatimi i këtyre vlerave të rëndësishme do të gjejnë zbatim dhe do të kultivohen nga të gjitha institucionet arsimore në Kosovë.

Atmosfera e udhëheqjes institucionale projektohet, është trajtuar në këtë kapitull në të cilin faktet dëshmojnë se si ndihet individi, si do ta ndiej veten të tjerët,etj. E gjithë kjo ka të bëjë me trajtimin dhe me shpjegimin e situatave qe dokumentojnë se kjo varet shumë nga kultura institucionale, modeli i formimit profesional dhe aftësitë komunikuese të individit. Ajo që zakonisht kuptohet si "kulturë institucionale" në literaturë te autorë të ndryshëm mund të gjendet edhe si modeli mental. Dallimet kulturore të disa institucioneve zakonisht janë të dukshme në kontaktin e parë me to. Kështu p.sh. burgu, manastiri, kazerma reflektojnë kultura të ndryshme. Të gjitha realitetet jetësore institucionale janë të ndërvarura, veprojnë në mënyrë gjithëpërfshirëse në fëmijën dhe studentin dhe në pjesën më të madhe përcaktojnë kualitetet e përvojës së vet të përditshme. Boshtin e kësaj kaptine e paraqet argumentimi i sintagmës se Kulturën në shkollë e formojnë njerëzit dhe sjelljet e tyre. Kjo kulturë nuk mund të arrihet në rast se menaxheri është i mbyllur në dokumente zyrtare. Këtë kemi provuar ta shohim në hulumtim. Në pyetjen/kërkesë se sa është e vërtetë se U tregoj stafit se çfarë duhet të bëjnë, kemi marrë përgjigjet si në grafik.

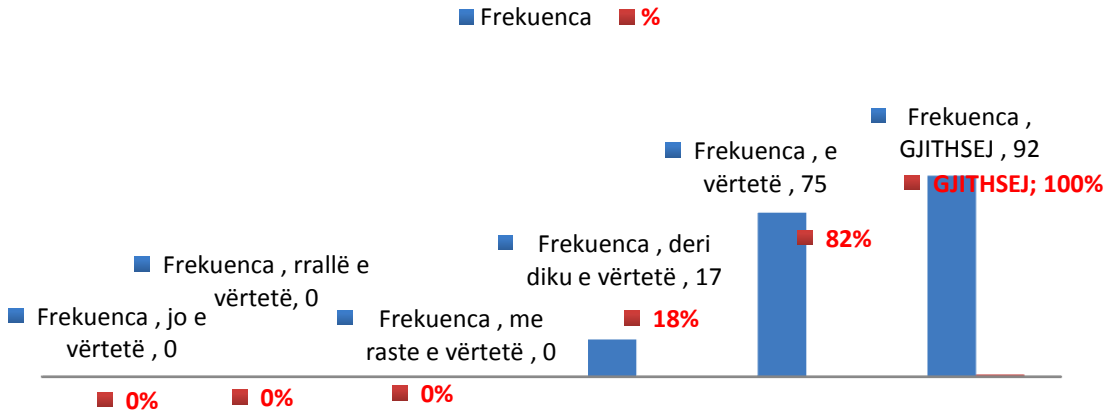
Grafiku 1. Ndihma stafit se çfarë duhet të bëjnë



Pra shihet një përqindje e lartë e deklarimit se menaxherët u tregojnë stafit se çfarë duhet të bëjnë. Me këtë nuk nënkupton se ata edhe delegojnë detyrat dhe përgjegjësitë, por se atyre iu tregojnë se çfarë duhet të bëjnë.
Praktika edukativo-arsimore janë rezultat i kombinimeve të caktuara të vlerave orientuese të mësimdhënësve, dijes dhe aktiviteteve të tyre. Krijimi i vlerave të reja do të thotë ndryshimi i kulturës ekzistuese. Menaxherët që nuk janë të kënaqur me kulturën e institucionit edukativ, mund të planifikojmë që në mënyrë strategjike të planifikojmë dhe të bëjmë ndryshimin. Në institucionet edukativo-arsimore duhet vazhdimisht të kihet kujdes për të gjitha format e kulturës institucionale. Përjetimi i kuptimit të përgjegjësisë dhe suksesit të të punësuarve në vendin e punës është pjesë përbërëse e kulturës shkollore dhe mund të jetë burim i madh motivimi për punë dhe kontribuon në cilësinë e punës së shkollës.
Kultura e shkollës, apo e institucionit arsimor është bërë objekt i studimeve dhe trajtesave të ndryshme. Menaxheri i institucionit arsimor është pjesë e krijimit dhe e cilësisë së asaj kulture që ka institucioni. Kultura e institucionit nuk mund të krijohet brenda një periudhe të shkurtër e as nga një menaxher i vetëm, sepse ajo krijohet në faza të ndryshme dhe me rënie e ngritje të cilësisë, llojit dhe mjeteve të cilat ndihmojnë ndërtimin e asaj kulture. Kulturën e institucionit arsimor e përbën e gjithë pasuria materiale dhe shpirtërore e krijuar brez pas brezi në një institucion.

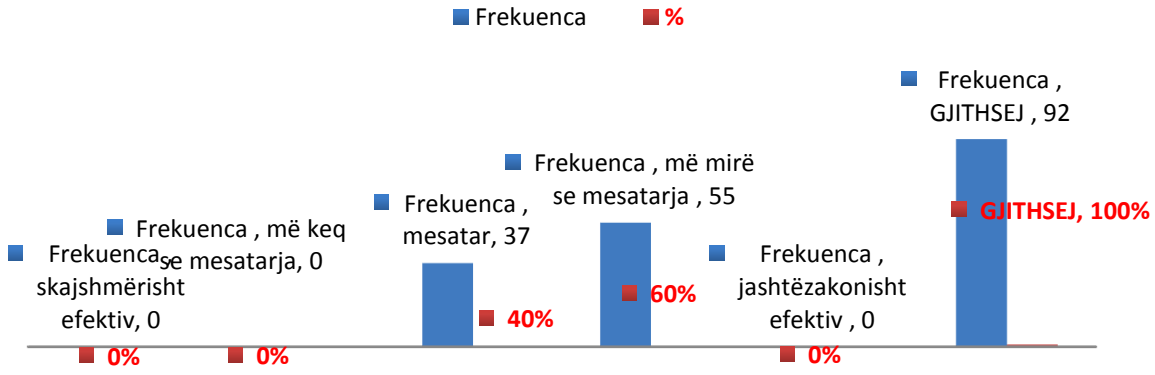
Po lidhur me grafikun dhe pyetjen paraprake kemi kërkuar me pyetësor që të shprehin vërtetësinë ose jo të sugjerimeve që ata kanë për punëtorët e vet. Shih grafikën.

Grafika 2. Dhënia e sugjerimeve për stafin



Roli dhe rëndësia e menaxherit në ndërtimin e kulturës së institucionit në përgjithësi dhe atë të menaxhimit në veçanti është e veçantë. Kultura e institucionit arsimor është një mozaik i aspekteve dhe dimensioneve që përbëjnë institucionin.
Kultura menaxheriale përbëhet, por edhe kushtëzohet, nga përmbushja e standardeve të praktikës profesionale të parapara për menaxher të institucionit arsimor.270
Roli i menaxherit në krijimin e kulturës qëndron në njohuritë po edhe shkathtësitë e tij menaxheriale si dhe të ndërtimit të vlerave të qëndrueshme të institucionit të cilat do të trashëgohen brez pas brezi. Kjo varet në masë të madhe nga niveli dhe cilësia e ndërtimit të raporteve ndër njerëzore brenda institucionit arsimor.271 Se si do të jenë këto raport varet shumë nga cilësia dhe kultura e komunikimit të menaxherit me aktorët që bëjnë institucionin arsimor. Ai mund të krijojë klimë pozitive, por edhe negative në institucion.
Sa i përket kulturës së udhëheqjes dhe ndikimit të menaxherit në procesin e bashkëpunimit me të tjerët në pyetësor kemi shtruar çështjen e bashkëpunimit të tyre me udhëheqësit kur ata nuk ishin në një pozitë të tillë, dhe kemi marrë përgjigjet si në vijimi.

Grafiku 3. Marrëdhënia juaj me udhëheqësin, karakteristikat themelore

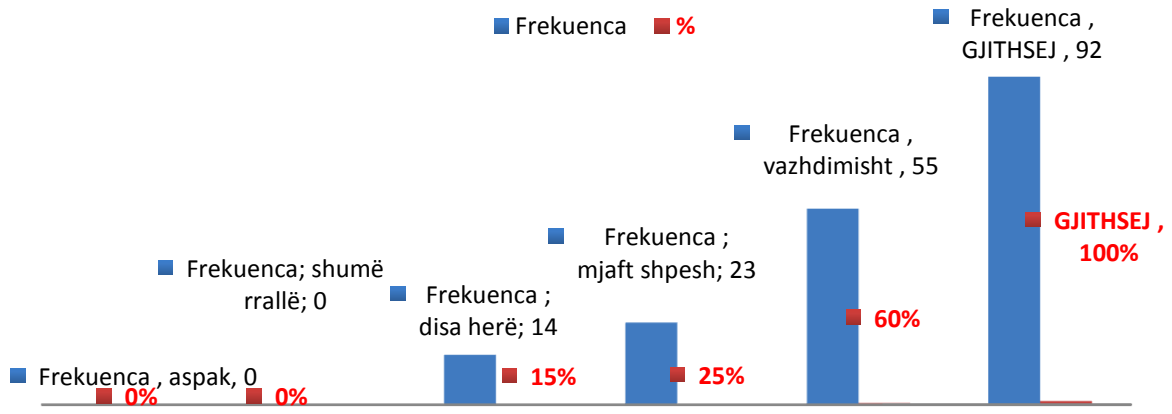


Në këtë pyetje kemi marrë vetëm dy përgjigje, ku rreth 40% deklarojnë se këtë marrëdhënie e kanë mesatare ndërsa rreth 60% deklarojnë këtë e karakterizojnë mbi mesatare. Prandaj sipa kësaj del se ata vlerësojnë se kishin raport të mirë me udhëheqësin, çka presin që edhe të tjerët të ndihen njësoj në raport me të sa i përket marrëdhënies recipreoke me menaxherin e institucionit.

[270] Fullan, Michel, (2009), Forca e ndryshimit, Prishtinë, fq.75.
[271] Po aty, fq. 73.

Po në realcion me këtë dekklarim kemi parashtrua pyetjen në vijim: se "Unë shkoj përtej interesave të vetes, për të mirën e grupit" ku kemi marrë përgjigje interesante. Shih rezultatet në grafikun në vijim.

Grafiku 4. Gatsihmëria menaxherëve për të ofruar më shumëse për interes të grupit



Sipas këtij qëndrimi, afro 60% thonë se shkojnë përtej interesave individuale për të mirën e grupit, është diçka që mund të konsiderohet si ideale. Ndërsa afër kufirit të reales, sipas nesh, do të ishte qëndrimi/deklarimi i rreth 15% të anketuarve se këtë e bëjnë disa herë, por nuk e bëjnë gjithmonë dhe mjaft shpesh si deklarohen rreth 25% e menaxherëve të anketuar.
Megjithatë kjo bie më shumë në sferën e menaxherëve tepër entuziast dhe idealist, të cilët edhe mund të bien në gabime duke u munduar që me çdo kusht të realizojnë vizionin e organizatës, ose edhe synimin individual, por mund të hasin në rezistencë të fortë nga ana e grupit ose grupeve e individëve brenda institucionit arsimor.

Menaxhimi Financiar në Institucionet Edukativo-Arsimore Korniza Financiare dhe Prioritetet-Udhëheqja Financiare

Ky kapitull mbështetet mbështetur në bazë të analizave të bëra sipas përvojave të disa shteteve të zhvilluara është e pamohueshme se në kuadër të procesit të reformës në sektorin publik është e rëndësishme të kuptohen parimet e pranimit të transparencës, shkallë-shkallshmërisë, jetëgjatësisë dhe standardizimit, ndërsa si pasojë e kësaj edhe parimet e krahasueshmërisë ndërkombëtare. Është supozim i rëndësishëm suksesi i reformës financiare ndërtimi i kontabilitetit shembullor – sistemit informativ si sistem i menaxhimit përkrahje e menaxhimit publik. Është mjaft komplekse të përcjellësh dhe vlerësosh për kohë të shkurtër ndryshimet në nivel kombëtar. Shumica e vendeve i largohet praktikës së vlerësimit dhe ndryshimeve në raport me vendet të cilat u përmbahen ndryshimeve që përmendëm. Ngjashëm me këtë, te vlerësimi afatshkurtër i ndryshimeve në menaxhimin financiar, është e dëshirueshme që në praktikë të vlerësohen institucionet arsimore (shkollat, dhe universitetet) duke i krahasuar me profilet e ngjashme të institucioneve, ndërsa pastaj të vlerësohen ndryshimet në menaxhimin financiar në nivel kombëtar. 272

Të gjitha aktivitetet që zhvillohen në shkollë dhe për shkollën janë aktivitete të koordinuara dhe në funksion të zhvillimit dhe avancimit të procesit kryesor të saj - arsimimin. Kuptohet që jo të gjitha ato aktivitete i përkasin kryekëput natyrës dhe fushës së edukimit, siç janë çështjet që kanë të bëjnë me planifikimin dhe menaxhimin e buxhetit dhe financave të shkollës.
Kur jemi te planifikimi dhe menaxhimi i buxhetit dhe financave të shkollës, si në çdo aktivitet tjetër arsimor, është mjaft me rëndësi definimi i qëllimeve dhe objektivave të qarta, të qëndrueshme dhe në funksion të arritjes së rezultateve të matshme. Në nivelin strategjik të institucionit, këto objektiva mund të jenë të përgjithshme, qoftë sa i përket shtrirjes së përgjegjësive apo aspektit kohor, por në fund të fundit, janë në përgjegjësinë e menaxhmentit të shkollës planifikimi, menaxhimi, monitorimi dhe vlerësimi i të arriturave edhe në aspektin financiar në shkolla.

[272] Zeneli, Isuf, (2013), Bazat e menaxhimit, Menaxhimi i institucioneve arsimore në Kosovë, fq 139.

Meqenëse planifikimi dhe menaxhimi i aspekteve financiare në shkolla është mjaft ngushtë i lidhur me çështje dhe disiplina të tjera në kuadër të shkollës dhe si i tillë në nivelin strategjik të shkollës nuk mund të trajtohet i veçuar nga hartimi i politikave arsimore, atëherë si proces nuk mund të ketë përkujdesje të veçantë nga ekspertë të fushës, mirëpo kërkohet që menaxhmenti i shkollës, në mbështetje të ekspertëve të fushës, të zhvillojë njohuri dhe aftësi për të bartur/përkthyer politikat strategjike në plane financiare dhe kjo arsyeton edhe nevojën për trajtimin e temës së planifikimit dhe menaxhimit të buxhetit dhe financave të shkollës.273

Në nivelin e arsimit parauniversitar, menaxhimi i sistemit merr parasysh normat e miratuara ndërkombëtare për arsimin, të cilat janë të përfshira dhe të zbërthyera në dokumente ligjore, mbi të cilat gjejnë mbështetje funksionet dhe përgjegjësitë e ministrive, komunave dhe institucioneve arsimore. Në këtë frymë, edhe aspektet që kanë të bëjnë me çështje financiare në institucionet arsimore gjejnë zbatim mbi një bazë legjislative (të zbërthyera pastaj në akte të tjera nënligjore dhe udhëzime administrative përkatëse), por më të rëndësishmet për këtë proces po përmendim:

Ligji për arsimin në komunat e Republikës Kosovës274 - ka për qëllim bazë të rregullojë organizimin e institucioneve arsimore publike dhe ofrimin e arsimit publik në nivelet arsimore parashkollor, fillor, të mesëm të ulët, të mesëm të lartë dhe të lartë në komunat e Republikës së Kosovës.
S'do mend që transferimi i kompetencave për menaxhimin financiar të shkollave, realizimi me sukses i tyre në praktikë, shton edhe nevojën për përgatitjen e shkollave për t'i përballuar këto ndryshime. Sa i përket zhvillimit të njohurive dhe aftësive të udhëheqësve të institucioneve arsimore në Kosovë për menaxhimin e buxhetit dhe financave të institucionit, ligji në fjalë shtron nevojën që të gjithë drejtorët dhe zëvendësdrejtorët e institucioneve arsimore dhe cilido person tjetër me përgjegjësi për të administruar institucionet arsimore që mbajnë pozitat e tyre të kenë përfunduar me sukses, deri më 31 korrik 2013275, një program kualifikimi profesional për udhëheqje, administrim ose fusha të ngjashme, i cili duhet të jetë i autorizuar nga Ministria sipas rekomandimeve nga KSHLM-ja. Gjithashtu, nga data 1 gusht 2013, të gjithë kandidatët për postet e cekura, para emërimit të tyre, duhet të kenë përfunduar me sukses një program kualifikimi profesional për udhëheqje, administrim ose fushë.

Të gjitha standardet janë të ndërlidhura dhe plotësojnë reciprokisht njëri-tjetrin, megjithatë, standardi tre, Planifikimi dhe menaxhimi, thekson në mënyrë më specifike mundësinë e përdorimit të tij në cilësinë e instrumentit vetëvlerësues për praktikën profesionale të udhëheqësve të shkollës në fushën e planifikimit dhe menaxhimit të financave të shkollës. Gjithashtu, ky standard mund të dhe duhet të shërbejë në të ardhmen si bazë për hartimin e programeve të trajnimit për fushën e planifikimit dhe menaxhimit të buxhetit dhe financave të shkollës.

Për të mundësuar implementimin në praktikë të këtyre standardeve, MASHT në bashkëpunim ne donatorë të fushës, ka planifikuar që në vazhdimësi të realizojë programe të trajnimit me udhëheqësit e shkollave. Në proces është realizimi i projektit të Komisionit Evropian IPA – 2009276, gjegjësisht programi i trajnimit Ngritja e kapaciteteve të drejtorëve të shkollave në Kosovë, i cili ndër të tjera ka për qëllim përmirësimin e kapaciteteve udhëheqëse të drejtorëve të shkollave dhe të autoriteteve në Kosovë.
Si çdo proces tjetër planifikues dhe administrativ, edhe planifikimi dhe menaxhimi i buxhetit dhe financave në kuadër të shkollës duhet të kalojë nëpër disa faza kryesore:

- Definimi i politikave strategjike të shkollës – vizioni dhe misioni
- Formulimi i politikave bazë- prioriteteve të shkollës
- Zbërthimi i buxhetit paushall në politikat financiare të shkollës
- Planifikimi i aktiviteteve përkatëse,

[273] Po aty, fq. 176.
[274] KK (2008), *Ligji për arsimin në komunat e Republikës Kosovës*
[275] Ligji për arsimin parauniveristar, 2011, fq.18.
[276] Programi IPA i KE për ngritjen e kapaciteteve arsimore në Kosovë.

- Dizajnimi i planit organizativ dhe menaxhues,
- Sigurimi i udhëheqjes dhe kontrollit /vlerësimit,
- Vlerësimi i vazhdueshëm i procesit. 277

Menaxhimi i buxhetit dhe financave brenda një institucioni bartë me vete edhe një varg përgjegjësish dhe llogaridhënie. Këtë e rregullon Ligji për buxhet dhe financa publike të cilit duhet t'i përmbahen të gjithë përfituesit dhe shfrytëzuesit e tij.

Shpenzimi dhe përdorimi i buxhetit, menaxhimi i mirë i tij, është detyrim ligjor, i cili duhet të mbështetet një planin e prokurimit për çdo vit kalendarik.

Për shpenzimin e buxheti secili menaxher është i detyruar që t'i përcaktojë objektivat dhe prioritetet afatshkurta, afatmesme dhe afatgjatë në bazë të të cilave edhe do ta bëjë shpërndarjen e buxhetit apo të zërave buxhetor.

Secili institucion arsimor, në bazë të Ligjit për arsim parauniversitar (MASHT 2011)278 duhet ta ketë një Këshill drejtues, i cili vendos për organizimin e punës, shpenzimin e buxhetit si dhe merr vendime të rëndësishme për procese të rëndësishme të funksionimit të institucionit. Ndërsa universitetet kanë Bordin drejtues, i cili gjithashtu merr vendime edhe sa i përket shpërndarjes dhe shpenzimit të buxhetit në bazë të prioriteteve të institucionit.

[277] Po aty.
[278] Ligjit për arsim parauniversitar (MASHT 2011), fq.18.

PROF. ASOC. DR. NAIM BAFTIU, PROF. ASOC. DR. ARTAN DERMAKU – PAJISJET ELEKTRONIKE DIGJITALE SI DHE SAKTËSIA E MATJEVE NË POMPAT E BENZINËS NË REPUBLIKËN E KOSOVËS

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Abstrakt

Në Kosovë shumë organizata, Biznese, Kompani dhe Individë jane duke përdorur pajisjet matëse digjitale elektronike për matjen e parametrave teknik në lemi të ndryshme duke përfshir laboratoret gjeomekanik, laboratoret e ndotjes së ajrit, ujit, laboratore për matjen e parametrave metrologjisë siq jan parametrat e matjeve të Naftës dhe benzines nëtë gjitha pompat e republikës së Kosovës.

Pas një krize të gjatë, shoqëria Kosovare sot ballafaqohet me një sfidë të re për t'iu bashkangjitur rrjedhave aktuale të zhvillimit ndërkombëtar. Në sferën e pajisjeve elektronike digjitale për matjen e parametrave të sasisë se naftës si dhe furnizimit me arka fiskale. Nevojat e përhershme për matjen e sasis me pajisje digjitale elektronike së litrit në pompat e benzinës është më se e nevojshme dhe e demosdoshme sot në vendin ton.

Qëllimi kryesor i punimit shkencor është që pajisjet elektronike digjitale të cilat përdoren në nxjerrjen e sasis së sakt të litrit, të jen të kalibruara dhe matja e tyre të jetë e saktësi dhe të gjitha Instrumentet tjera tëjenë të sakta në mënyrë që të rrisin cilësinë e produkteve dhe shërbimeve me naftë në mënyrë që të jenë konkurrente në tregun vendor dhe ndërkombëtar për të gjithe qytetarët e Kosovës.

Sipas disa parametrave teknike të pajisjeve digjitale elektronike për laboratoret e Kosoves janeduke u zhvilluar disa funksione metrologjike, te cilat i parashihen themelimin e disa etaloneve kombëtare të matjes në mënyrë që të transmetojë njësi matëse për pajisjet dhe instrumentet matëse në përdorim në proceset e prodhimit, shërbimit dhe testimit dhe për të garantuar saktësinë matëse duke kontrolluar instrumentet matëse në shfrytëzim publik.

Sfida të rëndësishme për arritjen e këtij qëllimi janë zhvillimi dhe kalibrimi i pasjisjeve digjitale për ndjenjën e vetëbesimit të biznesev të cilat mirren me ketë veprimtari.Qëllimi i shoqërisëKosovare është për t'u inkuadruar në një zhvillim të qëndueshëm njerëzor nëshoqëri demokratike duhet angazhuar me sukses në tregun e punësme qellim qe te gjitha punet te jen sipas standardeve te Bashkimit Evropian(BE).

Fjalet kyqe: pajisjet elektronike digjitale, instrumentet matëse, kalibrimi, matja dhe nafta.

Hyrje

Konsumatori ne Kosove prej disa kohësh po vuan nga nje cmimi real që i bëhet në pikat e shitjes së karburantëve, në Prishtine dhe disa qytete të tjera të Kosoves. Pas uljes dhe ngritjes se cmimeve ende nuk dihet ne menyr te sakte se sa eshte cmimi i naftes ne pikat e karburanteve, mund te themi se MTI -ja, pranoi, disa ditë më parë, se nga kontrollet e bëra janë konstatuar shkelje, pas disa aksioneve që jane bere pompave te benzines ne menyre sistematike, ky lloj kontrolli ka vazhduar dhe ka qen efektiv, dhe ka si objektiv primar sigurimin e qytetarëve vendas, por edhe qytetarëve të huaj, se për vlerën e paguar do marrin sasinë reale të produktit që blejnë.

Garantimi i kësaj mardhënieive të drejtë midis shitësit dhe blerësit të karburantit, nuk është thjesht një problem teknik dhe abuzim financiar ordiner, por është një përpjekje e qeverise për të ndalur këtë padrejtësi sociale që nuk duhet të ndodhë në asnjë mënyrë.
Mund te themi se ndodhemi në një situatë të keq perdorimeve flagrante dhe të një vepre penale të dënueshme, ndodhemi në një pikë ku duhet të informojnë publikun se cilët janë këto karburante apo pika shitje që keqperdorin karburantet per qytetar te Kosoves.
Qytetarët në rolin e konsumatorit kanë të drejtën e pacenueshme dhe të mbrojtur nga ligjet në fuqi për t'u informuar, raste te keqperdoret çmimi e ngritur te naftes.

Çmimet e karburanteve në Ballkan

Çmimet e karburanteve në tregun botëror kanë arritur nivelin më të ulët në disa vite të fundit duke u reflektuar kështu drejtpërdrejt në çmimet e naftës në rajonin e Ballkanit, gjë të cilën e kanë mirëpritur qytetarët e zakonshëm të cilët ndodhen thellësisht të përfshirë nga problemet e përditshme ekonomike dhe sociale.

Çmimet e karburanteve më shumë do ti ndjejnë buxhetet e qytetarëve të Kosovës, Bosnjës dhe Hercegovinës dhe Serbisë.

Ekspertët ekonomik besojnë se rënia e çmimeve të karburanteve, e cila është regjistruar gjatë disa javëve të fundit, në mënyrë pozitive mund të ndikojë si në konsum ashtu edhe në standardet jetësore të qytetarëve. Çmimet e karburanteve në Kosovë shënojnë rënie prej 10 deri 15 për qind.
Ulja e çmimeve në tregun botëror ka ndikuar edhe në uljen e çmimeve të karburanteve edhe në Kosovë, Para dy javësh 12.03.2015, çmimi i euro diezelit, në pompat e Kosoves ishte 1,15 euro. Javën e kaluar ka rënë në 1.10 euro, kurse së fundit, në këto shtatë ditët e kaluara ka shënuar edhe një rënie dhe aktualisht është 0.99 euro për litër.

Mund te theksojm se kjo rënie nuk është e njëjtë gjithkund për shkak se në Kosovë mungon rregullatori i çmimeve të naftës i cili do të ndikonte në formimin standard dhe transparent të karburanteve dhe jo vetëm kjo, por edhe do të kontrollohej cilësia gjatë importit të karburanteve, në kufi-Dogana dhe rezervat shtetërore të ndahen në mënyrë të barabartë.
Sa i përket çmimit të euro-benzinës prej 95 oktanëve, aktualisht një litër kushton 1.02 euro kurse, super-benzina pa plumb prej 98 oktanëve, kushton 1.05 euro.
Ndërkohë pompat e karburanteve të Kosoves, çmimet janë 1.03 euro për një litër euro-diezel, kurse çmimi i benzinës 95 oktan ishte 1.04 euro. Javë më parë. Evidente është se, çmimi i karburanteve në Kosovë, në këto dy javët e fundit ka shënuar rënie prej 10 deri 15%, por edhe çmimi i karburanteve dallon nga pompa në pompë dhe nuk ka një çmim të unisuar.

Çmimet e karburanteve në Federatën e BeH
Sipas nje llogarie shoferët në BeH për një rezervuar mund të kursejnë rreth 15 euro nese e mbushin ne territorin e Kosoves.
Çmimet e karburanteve në Federatën e BeH nga 25 dhjetori kan rene nën 2 KM, apo 1,02 euro, madje edhe deri 0,99 euro. Ndërkohë, ndërmarrja shoqërore "Auto-moto e BeH" (BIHAMK), që rregullisht përditëson informacione mbi çmimet e karburanteve në BeH dhe vendet e tjera të Evropës dhe botës, tregon se në tregun e BeH çmimi i benzinës 95 është 1,02 euro për litër, sa një litër benzinë.
Ndërkohë, çmimi mesatar i karburantit në Bosnje dhe Hercegovinë në fillim të dhjetorit të këtij viti ishte prej 1,17 - 1,25 euro. Sipas kësaj, çmimet e naftës në BeH për një muaj ka shënuar një rënie prej 0,15 - 0,23 euro. Pas rënies së çmimeve gjatë disa javëve të fundit, shoferët në BiH për një rezervua mund të kursejnë rreth 15 euro.

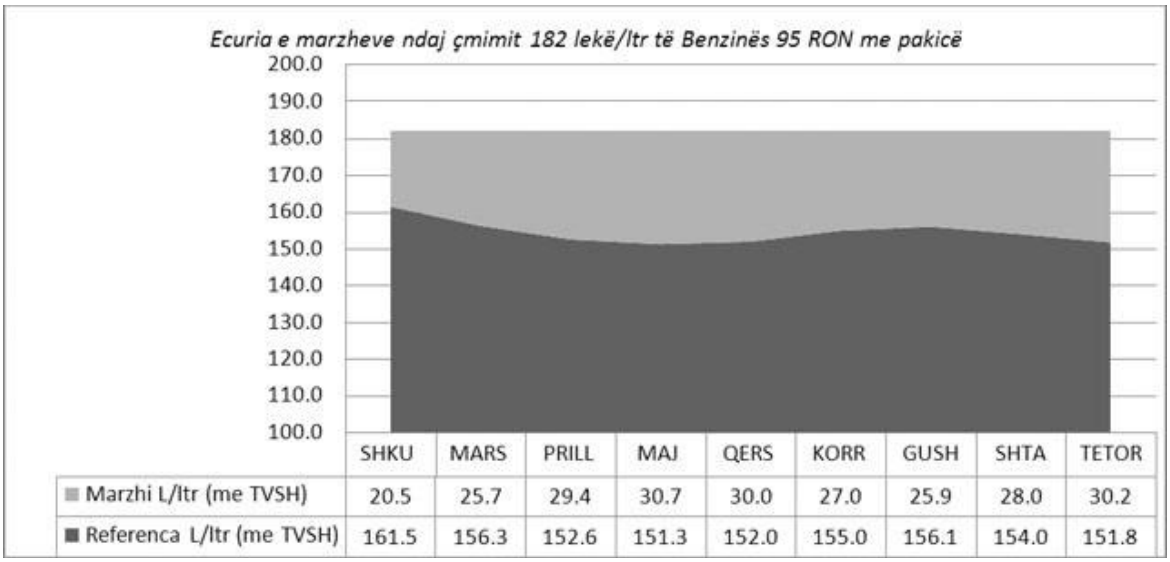
Çmimet e karburanteve në Serbi
Në Serbi, çmimet e karburanteve për një muaj bien për 0,10 euro, Sipas të dhënave të Shoqatës së kompanive të naftës në Serbi për muajin e kaluar, çmimi mesatar i benzinës në shumicën e pompave është më i ulët për 11,9 dinarë, apo 0,09 euro, i diezelit 0,06 euro, ndërsa i autogazit për 0,05 euro për

litër. Por, pas Vitit muajit mars pritet një rritje e çmimeve për 5 dinarë, apo 0,04 euro, për shkak të çmimeve në rritje të akcizës.
Që nga fillimi i dhjetorit vitit 2014 Industria e Naftës e Serbisë (NIS) për të shtatën herë ka ulur çmimin e karburantit, dhe në qoftë se shikohet periudha nga 1 nëntori, çmimet e benzinës në pompat e NIS-it janë më të ulëta për 0,13 euro, ndërsa të naftës për 0,08 euro për litër.
Aktualisht në pompat e NIS-it Euro-premium BMB 95 kushton 1,09 eur, për Euro BMB 98 duhet të ndahen 1,19 euro, për Premium Euro-disel 1,2 euro dhe për Euro dizelin 1,18 euro për litër.

Çmimet e karburanteve në Male te Zi
Ndër vendet e tjera të rajonit, çmimet e karburanteve në Malin e Zi nga e mërkura javën e fundit kanë rënë për 5-7 cent. Rënia konstante e naftës në bursat botërore ka shkaktuar uljen e çmimeve të derivateve të naftës edhe në Mal të Zi.
Kështu një litër të eurosuper BMB 98 do të kushtojë 1,18 euro, ndërsa eurosuper BMB 95 do të kushtojë 1,15 euro. Një litër naftë kushton 1,08 euro, që është gjashtë cent më pak nga llogaritja e fundit e çmimeve.
Çmimet e karburanteve në Malin e Zi prej kohësh kanë qenë më të lartat në rajon. Duke pasur parasysh se çmimi aktual i BMB 95 është 1,15 euro, për herë të fundit çmimet e ngjashme të naftës janë regjistruar në mars të vitit 2010.

Çmimet e karburanteve në Kroaci
Në Kroaci rënia e çmimeve të karburantit nën kufirin "psikologjik", Ngjashëm si në Malin e Zi çmimet e karburantit në Kroaci vazhdojnë të bien, ndërsa për herë të parë pas katër vitesh Eurosuper në pompat e INA-s ka rënë nën kufirin "psikologjik" prej nëntë kuna apo 1,17 euro. Kështu të qe ne javen e kaluar çmimi i benzinës më të shitur Eurosuper 95 ka rënë në krahasim me ditët tjera për 31 qind dhe arriti në 8,90 kuna apo 1,16 euro. Çmimi i naftës BS është 1,1 euro, ndërsa dizel BS Class është 10 lipa më i shtrenjtë për litër, ndërsa më i shtrenjtë në pompat e INA-s është Eurosuper 98 dhe çmimi i tij është 1,18 euro. Pas uljes së çmimeve në dy muajt e fundit, shoferët e makinave në Kroaci në një rezervuar mund të kursejnë rreth 10 euro. Në qoftë se çmimi krahasohet me atë të verës, diferenca është edhe më e madh dhe arrin deri në 15 euro.

Çmimet e karburanteve në Shqiperi
Në Shqipëri, gjithashtu, që në fillim të dhjetorit 2014, është regjistruar rënia e çmimeve të karburanteve. Pra, në javën e parë të dhjetorit një litër diezel ka kushtuar 177 lekë, apo 1,26 euro. Një javë më pas, përkatësisht deri 15 dhjetor, një litër diezel ka kushtuar 172 lekë, apo 1,23 euro. Çmimi i naftës ka vazhduar të bjerë edhe pas gjysmës së parë të dhjetorit, kështu që më 22 dhjetor çmimi i benzinës për litër ka qenë 167 lekë, apo 1,19 euro.



	SHKU	MARS	PRILL	MAJ	QERS	KORR	GUSH	SHTA	TETOR
Marzhi L/ltr (me TVSH)	20.5	25.7	29.4	30.7	30.0	27.0	25.9	28.0	30.2
Referenca L/ltr (me TVSH)	161.5	156.3	152.6	151.3	152.0	155.0	156.1	154.0	151.8

Levizja e cmimieve mujore ne Shqiperi

Çmimet e karburanteve në Maqedoni
Sipas të dhënave të fundit zyrtare për Maqedoninë, çmimi i benzinës 95 është 65,50 denarë, apo 1,06 euro, i benzinës 98/100 67,00 denarë apo 1,09 euro dhe çmimi i dizelit për litër 56,00 denarë, apo 0,91 euro.
Nga ana tjetër, në Evropë, karburant më të shtrenjtë paguajnë qytetarët e Norvegjisë, të cilët për një litër të eurosuper 95 duhet të ndajë 1,7 euro, ndërsa eurosuper 98 kushton 1,78 euro dhe eurodizel 1,57 euro. Çmimet më të ulëta të karburanteve janë në Rusi, ku qytetarët e këtij vendi për një litër të eurosuper 95 ndajnë 55 cent, ndërsa për eurodizel 53 cent.
A ka mundësi reale që tregu këtë herë të jetë neutral ndaj rritjes së taksës? Në rast se "lojtarët" që e dominojnë kërkojnë ndryshimin cilësor, një treg të maturuar konform standardeve europiane, mund të ketë gjasa që rritja të jetë e papërfillshme.

Autoriteti i Konkurrencës është në përfundim të një hetimi tremujor. "…në tregun e importit, prodhimit dhe shitjes me shumicë të karburanteve për kufizime të mundshme të konkurrencës"; konkretisht dy nëntregjeve kryesore të shitjes me shumicë: diezelit 10 ppm e benzinës 95 RON, që në varësi të çmimeve të bursës, kursit të këmbimit e kërkesës vjetore të tregut tonë, nxjerrin jashtë vendit afër gjysmë miliardi USD në vit e u kushtojnë konsumatorëve 46% të çmimit fundor në pompë.
Mediat kanë informuar shifra e fakte shqetësuese lidhur me monopolizimin e deformimin e tejskajshëm të tregut; duket edhe institucioni "avokat i konkurrencës dhe i interesave të konsumatorit" e konstatoi këtë të paktën për vitin 2013.

Treg i përqendruar

Një skanim i situatës do të jepte të dhëna të mjaftueshme për nivelin e përqendrimit në tregun e karburanteve. Procesi i ka fillesat në 2008-n me privatizimin e ARMO-s dhe mori rrugë në 2009 me dhënien asaj të monopolit për tregtimin e naftës D2 që kapte 80-85% të tregut të karburanteve automotive. AK e ka marrë më parë në hetim këtë periudhë; fakt është se asnjë penalitet i dhënë (nëse u pagua) nuk pengoi kompaninë e privilegjuar të vazhdonte ndoshta edhe në vitin 2010 e më tej me naftë D 1000 e 350 ppm, me "dokumente të rregullta"! Vitet 2009-2010 konsiderohen si të "standardeve të dyfishta në treg".
Aplikimi i parametrave cilësorë europianë u kthye armë në duart e shtetit e agjencive të tij për të goditur e favorizuar kompanitë sipas preferencave klienteliste: ku duhej, tregtohej me VKM edhe virgina, ku s'duhej, kontrollohej nëse diezeli e benzina ishin 10 apo 10.1 ppm.
Presioni me gjoba e penalitete të diferencuara, aplikimi i një barre fiskale të stërndryshueshme e penguese, vendosja e kasave fiskale si mjet përfitimi, tarifa të larta shërbimi etj., e dëmtuan klimën e besimit në këtë sipërmarrje fitimprurëse.

Një numër i madh kompanish, sidomos të huaja e mikse që nuk u integruan dot në modelin ton te dystandardeve, gradualisht humbën terren, shitën ose dhanë me qira aktivitetin, u tërhoqën ose falimentuan, ndërkohë përfituan e u faktorizuan 1-2 të reja.
Në tregun e shumicës mbetën 3-4 importues nga mbi 24 të tillë në vitin 2008; efektet e krizës përshpejtuan procesin. Viti 2012 thelloi karakteristikat oligopoliste sipas vargut Mackenzie të influencës 31+20.5+10.25+..nx0.125; tre "big-ët" OFN, me pjesë tregu rreth 85%, shfrytëzuan dominimin dhe nisën integrimin vertikal duke ndërtuar e marrë me qira stacione në pozicione të favorshme. Synimi ishte kontrolli i plotë i ciklit deri në pompë për maksimizimin e fitimeve e mbajtjen të pandryshueshme të çmimeve.

Ekspansioni dha rezultat jo vetëm për periudhën nga janari 2013 marrë në shqyrtim nga AK, por që nga marsi 2012 e deri tani, siç ilustrohet nga grafiku i trendit të ecurisë së kuotimeve Platts nga janari 2012 për ngarkesat HCIF Med Italy të benzinës e diezelit.
Çmimet e karburanteve për automjete si gazoil ULSD dhe benzinë Euro-Super 95 pësuan rënie në Bursën e Londrës pavarësisht kërkesës në rritje përgjatë sezonit veror. Sidomos rënia e benzinës u bë evidente pas mbylljes së shpejtë të sezonit herët në shtator. Sipas European Marketscan Platts, kuotimi më i lartë High FOB (CIF) Med Italy ishte pothuajse në ulje kostante me 15-20 USD/TON në

javë nga fundi i gushtit në tetor, ndërsa për gjithë periudhën: pas një maksimumi në qershor respektivisht Benzina 95 prej 1067 e Gazoili 10 ppm 968 USD/TON, çmimi ra në minimumin historik 746 dhe 737 USD/ TON në javën e dytë të nëntorit dhe në vlerë absolute 321 dhe 231 USD/TON.

Reagimi i Qeverise se Kosoves

Pas shkurtit 2013, gjithë rajoni e Europa ndryshoi çmimet progresivisht me rënie; në tabelat e stacioneve të lojtarëve tanë kryesorë, ato nuk ndryshuan?! Prej gushtit 2011, kur ishët aplikuan taksën e qarkullimit prej 5.5 euro/litër, rritën taksën mjedisore në 0.75 e 1.5 euro/litër e deri në gusht 2013 kur u shtua me 0.312 euro/litër (pa TVSH) për markimin, kostoja është varur gati krejtësisht nga çmimi në bursa. Sikur tendenca të ishte ndryshe, ku do të shkonin çmimet? Le të krahasojmë ecurinë e çmimeve në vendet fqinje, Italisë e Greqisë, nga sigurohen mbi 90% e importeve.
Sipas informacionit të publikuar prej ministrive të linjës dhe shoqatave hidrokarbure për vitin 2013, çmimet përfaqësuese në pompa janë sipas grafikëve. Nga rënia e kuotimeve në bursa, çmimi i benzinës në pompa ka rënë progresivisht rreth 5%, ndërsa i diezelit rreth 3.5%. Sikur kjo rënie të ishte aplikuar korrektësisht në pompat tona, aktualisht çmimet duhej të ishin për benzinën 7-10 euro më pak, për diezelin 4-6 euro më pak.

Në Kosove nuk ekziston akoma publikimi ligjor i strukturës së çmimeve në bazë të një metodologjie që kalkulon zyrtarisht kostot bazë e ndikimin e këmbimit, në marrëveshje me shoqatat hidrokarbure; tregjet rreth e rrotull e bëjnë këtë punë. APP ka publikuar referenca periodike për efekt prokurimi publik; pavarësisht objeksioneve mbi saktësinë e deklarimeve, ato kanë luajtur rol indikativ. Gjithsesi, pa strukturën e çmimeve në pompë, s'mund të sqarohet mekanizmi i luhatjes së çmimeve; fitimi i deklaruar nga operatorët mbetet i pabesuar.

Në skicimet e mëposhtme jepet struktura legale e çmimeve në pompat italiane e greke për javën e parë të dhjetorit 2013, ku pjesën dërrmuese të çmimit e përbëjnë taksat dhe blerja nga rafineria. Marzhet shkojnë deri 16.5%, por në të nuk është përfshirë kostoja e transportit detar, sepse APP llogarit referencën me 30 USD/ton mbi kuotimin HCIF Med Italy, pra e përfshin atë.
Rritja e taksës së qarkullimit mund dhe duhet të absorbohet nga kompanitë që dominojnë tregun duke ridimensionuar aktivitetin në funksion të një marrëdhënieje korrekte e bashkëpunuese me autoritetet. Ulja graduale e marzheve në funksion të lehtësimit të publikut në kushtet e krizës dhe gropës buxhetore, do të jetë hapi i parë për formalizimin real të tregut dhe investimi më i rëndësishëm që ky biznes do të bëjë për të ardhmen.

Aktet normative

Drejtoria e Metrologjisë bëri veprimin që pritej prej saj, ka hartuar Aktin Normativ, i cili qartëson pozicionin e kësaj Drejtorie për publikimin e këtyre subjekteve dhe është e gatshme ta zbatojë atë në momentit që do të miratohet. Por, një gjë e tillë është absurde në momentin që nuk ka Kuvend që ta miratojë Aktin.

Ministria e Tregtisë dhe Industrisë ka vijuar kontrollet në zbatim të ligjit për respektimin e standardeve në fushën e importit dhe tregtimit të karburanteve, dizell dhe benzinë.
Trupat inspektuese të cilësisë dhe sasisë së karburanteve të lëngëta të naftës, kanë ndërmarr aktivitete shtesë në kontrollin e cilësisë së karburanteve që tregtohen brenda territorit të Republikës së Kosovës.
Nga kontrollet e ushtruara janë marrë gjithsej 22 mostra në pikat shitëse me pakicë. Aksioni është ndërmarrë edhe në bashkëpunim me Shoqatën e naftëtarëve të cilët kanë rekomanduar marrjen e disa mostrave në disa pika të dyshimta për ta.
Mostrat zakonisht dergohen ne testim. Ky veprim shtesë eshte, pa paralajmërim, dhe po ndërmerret për të qartësuar dyshimet e ngritura rreth cilësisë së karburanteve që tregtohen brenda vendit.

Marrja e mostrave per kontrollimin e cilesise se naftes dhe benzines ne Kosove

Saktesia e pajisjeve elektronike matese per nxjerrjen e naftes

Metrologjia është shkenca e matjes, metoda(t) për të përcaktuar matje të sakta dhe të besueshme të pajisjeve, makinerisë, dhe mallrave tjera. Metrologjia është shumë e rëndësishme për Kosovën për të siguruar që matjet e masës, peshës, vëllimit dhe parametrave tjerë të mallrave bëhen saktë në pajtim me matjet ndërkombëtare dhe të BE-së.
Testimi i produkteve përfshin analizën e karakteristikave, përbërësve, tipareve, kapaciteteve, specifikacioneve, komponentëve, etj. Është me rëndësi të keni siguri në besueshmërinë e testimit të produkteve në mënyrë që të përcaktohet përshtatja e një produkti me rregulloret teknike dhe/ose standardet e produktit. Këtu është vendi ku shërbimi metrologjik kompetent është jetësor për zhvillimin e ekonomik të Kosovës.

Pajisja elektronike digjitale per nxjerrjen e naftes nga tubat kryesore te furnizimit

Departamenti Metrologjik i Kosovës (DMK) organizohet dhe funksionon nën autoritetin e Ligjit për Metrologjinë nr. 03/L-203, dhe kryen aktivitetet e tij nën mandatin e Ministrisë së Tregtisë dhe Industrisë. DMK është i vetmi institucion shtetëror në Kosovë që është përgjegjës për themelimin dhe

menaxhimin e sistemit metrologjik në Kosovë, duke përfshirë matjet e ndërlidhura me metalet e çmueshme
Te gjitha psjisje qe perdoren per nxjerrjen e nafes duhet te vendosen një sistem të qëndrueshëm e kompatibil të metrologjisë në Kosovë, keto pajisje duhet te Kalibrohen dhe do të mundësojë:
Matje në pajtim me sistemin e njësive matësi SI.
Matje të sakta dhe të besueshme me qëllim të mbrojtjes së jetës, shëndetit njerëzor, kafshëve, mjedisit, konsumatorëve dhe burimeve natyrore;
Instrumente të sakta matëse në mënyrë që të rris cilësinë e produkteve dhe shërbimeve vendore në mënyrë që të jenë konkurrente në tregun vendor dhe ndërkombëtar;
Të zhvillojë metrologjinë shkencore për të kontribuar në zhvillimin e kushteve të nevojshme që do t'i përgjigjen metrologjisë rajonale e ndërkombëtare, që ndikon në integrimin e ekonomisë sonë në ekonominë e tregut.

Laboratoret e Institucioneve te cilat sherbejn me naft dhe benzin jane në varësi të programeve të studimeve, disponojn kompjutera në laboratorët e teknologjisë së informacionit, të pajisur me programe profesionale si programe për statistikë, linguistikë, arkitekturë, inxhienieri, ekonomi, mjekësi, programe stimulimi për shkencat sociale te gjitha keto pjisje duhet kalibruar dhe duhet te nxjerret saktsia e matjeve te tyre ne teren.
Institucioni garanton, me kapacitetet që zotëron ose në bashkëpunim me institucione dhe subjekte të tjera, që mjediset janë të mjaftueshme për zhvillimin e praktikave profesionale.
Sistemit të Transmisionit, mund të kryejë këto shërbime:
furnizimin me Pajisje Matëse;
instalimin, matjen, testimin, riparimin dhe mirëmbajtjen e Pajisjeve Matëse;
shërbimet e mbledhjes së të dhënave;
transferin e të dhënave,
procedimin e të dhënave dhe
shërbimet e grumbullimit të të dhënave.

Metrologjia Legale të Kosovës, paraqet edhe një hap në forcimin e shtetësisë së Republikës së Kosovës. Ky gurthemel është edhe më i rëndësishëm kur dihet fakti se që nga viti 1947 kur u themelua Shërbimi i metrologjisë në Prizren, ky është ndërtimi i parë në këtë lëmi. Rëndësia e këtij laboratori bëhet edhe më e madhe duke marrë parasysh nevojat e ekonomisë sonë e cila po zhvillohet me trende në rritje nga viti në vit duke patur si qëllim integrimin sa më të shpejtë të vendit tonë në ekonominë regjionale dhe evropiane.

Departamenti i Metrologjisë së Kosovës

DMK është organizuar dhe funksionon në bazë të Ligjit për Metrologji, ndërsa aktivitetin e vet e zhvillon në kuadër të Ministrisë së Tregtisë dhe Industrisë. DMK është Institucioni i vetëm nacional në Kosovë i cili është përgjegjës për vendosjen dhe udhëheqjen e sistemit të metrologjisë në Kosovë, përfshi edhe metalet e çmuara.
DMK përfaqëson një nga shtyllat kryesore të infrastrukturës teknike të cilësisë në Kosovë, qe së bashku edhe me shtyllat tjera të kësaj infrastrukture si Agjencine e Standardizimit te Kosoves, Njesine e Akreditimit, etj paraqet bazë të fortë për zhvillim të qëndrueshëm shkencor, teknologjik dhe ekonomik, si dhe mbështet përfshirjen e Kosovës në integrimet Evropiane dhe ndërkombëtare.
DMK është përgjegjës për implementimin e ligjeve në fushën e metrologjisë, të miratuara nga Kuvendi i Kosovës, si edhe akteve nënligjore në implementimin e këtyre ligjeve.
DMK është e strukturuar dhe funksionon me dy njësi te ndara fizikisht:

Divizioni i Metrologjise dhe Inspektimit ne Prishtinë dhe
Instituti i Metrologjisë Legale në Prizren.

Me qëllim të realizimit të misionit te saj dhe vendosjes se sitemit te metrologjise ne pajtim me praktikat e mira, DMK eshte angazhuar në zhvillimin e tri funksioneve të metrologjisë: shkencore, industriale dhe ligjore.

Pajisjet laboratorike, te cilat janë identifikuar do te mbulojnë fushat si: Gjatësi, mase, vëllim, rrjedhje, elektrike, force, presion dhe termometri.
Po ashtu me kërkesë te DMK-se, Qeveria e Kosoves ka miratuar një projekt investues prej 100.000 €, për renovimin e godinës se metrologjisë ne Prizren per kalibrimin e pajisjeve elektronike.
Ne drejtimin e metrologjisë ligjore, me kapacitetet ekzistuese te personelit dhe pajisjeve laboratorike, DMK aktualisht është duke mbuluar kontrollin metrologjik te këtyre mjeteve matëse:

Metra te tekstilit dhe thuprat metalike;
Gramarë te llojeve dhe kapaciteteve te ndryshme;
Peshore te llojeve dhe kapaciteteve te ndryshme;
Distributore te karburanteve;
Njehsor për matjen e energjisë elektrike, trefazor dhe monafazor (induktiv dhe elektronik);
Taksimetra dhe tahograf (këto dy fushave nëpërmjet subjekteve te autorizuara).

"Pa kupon tatimor nuk ka Karburant"

Sistemi fiskal tepër e avancuar për shërbimin e tregtimit të hirdrokarbureve, bën të mundur printimin e kuponave tatimorë nga Distributorët e Karburantit sipas parimit, "Pa kupon tatimor nuk ka Karburant". Kasa duhet të pajiset me Printer Seiko Easyloading vetëprerës, letër 58 mm dhe me QSHKE, sikurse është e aftë të printojë deri në 200.000 kupona tatimorë.
Gjithashtu mundëson lidhjen me Dispenserat të tipit, Gilbarco, Mepsan, Mekser, Dresser Wayner, Nuovo Pignone, Baransay, 2A dhe Nuova Migas me kokë elektronike.

Sistemi elektronik digjital-Kuponi

Veçojmë se, sistemi elektronik digjital krijon mundësinë e printimit të kuponëve me;
opsionet tollon,
faturë,
transferim
test.
Me opsionin Tollon i jepet mundësia operatori të fusë të dhena si numrin serial të tollonit/ targën e makines. Kuponi del në dy kopje, njëra është info tatimore, kurse tjetra info jo tatimore.
Sistemi mundëson, ndër të tjera edhe dërgimin e të dhënave online në fund të çdo Raporti zyrtar. Edhe në rastet kur pompa punon në mënyrë manuale, pas rilidhjes së saj me sistemin fiskal bëhet e mundur printimi i të gjitha shitjeve, keto sisteme elektronike digjitale duhet te perdoren ne Kosove dhe te jen te gjitha pompat nen kontroll nga Qeveria e Republikes se Kosoves.

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Departamenti Metrologjik i Kosovës -Kalibrimi i pajisjeve ne laboratoret e MTI-se ne Prizren.

PHD. ELONA PRROJ – NJË VËSHTRIM SOCIOLOGJIK MBI GJAKMARRJEN

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Abstrakt

Moderniteti dhe gjakmarrja janë fenomene sociale kontradiktore dhe globalizimi hedh dritë mbi ekzistencën e gjakmarrjes në një botë të modernizuar. Në këtë punim, teoritë e modernizmit të Weber dhe Durkheim do të ritrajtohen në mënyrë që të kuptojmë se çfarë lidhje ka midis modernizmit dhe gjakmarrjes. Këta dy gjigandë të teorive klasike sociologjike e kanë integruar fenomenin në teoritë e tyre sociale në një mënyrë shumë të ndryshme nga njeri tjetri. Për Weber, gjakmarrja në fakt është shtylla qëndrore e teorisë së tij të organizimit politik, ndërsa Durkheim e shikon atë si një ndër shumë aspektet e shoqërizimit pasionant. Pasojat teorike të këtyre dy përqasjeve kaq të ndryshme do të mund t'i shikojmë dhe analizojmë në këtë punim. Para së gjithash do të përpiqem të jap një përmbledhje të teorive të gjakmarrjes në mënyrën se si ato renditen në kërkimet etnologjike, sociologjike dhe historike.
Sekreti i ekzistëncës së gjakmarrjes ndoshta nuk do të zbulohet në fund të këtij punimi, por ne mund të kemi ide më të qarta në atë se çfarë mund të ofrojnë teoritë sociale në mënyrë që të shpjegojnë këtë fenomen.

Fjalët kyce: Globalizimi, solidariteti organik, gjakmarrja, dhuna, kontrolli i pasionit.

Hyrje

Gjakmarrja është duke rifituar shumë interes në shkencat sociale pas një gjysmë shekulli të një konsiderate të vogël. Kriminologjia për shembull, është e interesuar në konkurencën e ligjit të shtetit modern dhe sistemit legal tradicional. Etnologjia ka qenë shumë aktive në kërkime mbi gjakmarrjen në Kosovë, Shqipëri dhe zona të tjera të Ballkanit. Teologjia ka rizbuluar gjakmarrjen si një problem të një drejtësie hyjnore që mbështetet në thënien; "Sy për sy dhe dhëmb për dhëmb". Vetë Bashkimi Europian po përballet me pasojat e këtij fenomeni ndërsa kërkon të gjejë zgjidhje për qindra emigrant azil-kërkues që deklarojnë se janë të kërcënuar me jetën për shkak të gjakmarrjes po të kthehen në vendin e tyre.

Të gjitha këto: emigrimi, internacionalizimi i konflikteve etnike, dhe konkurenca në rritje midis traditës dhe fesë – mund të përmblidhen si fenomeni i globalizimit. Për më tepër, mund të thuhet se globalizimi ka sjellë në dritë gjakmarrjen si një fenomen ekzistues ligjor dhe kulturor i cili nuk mund të anashkalohet.
Ka pasur një periudhë të interesit shkencor për gjakmarrjen kohë më parë. Shumica e artikujve për fenomenin datojnë ose në kohën tonë, ose ne fillimet e shek XX. Për këtë literaturë, fenomeni i gjakmarrjes ishte me interes si një fenomen etnologjik. Nga ana tjetër gjakmarrja shihej si një problem i hershëm, ligjor, europian dhe ishte interesante për shkencat sociale sepse ofronte një këndvështrim alternativ të sistemit ligjor modern dhe të zhvillimit të tyre të parashikuar. Gjakmarrja ka të bëjë më shumë me pasionin për të trazuar ndjenjat për hakmarrje dhe me vetë-gjyqësinë. Disa preferojnë ta lexojnë gjakmarrjen si një alternativë ndryshe ndaj modernitetit. Të tjerë e shohin atë si një apendiks qesharak të paramodernitetit. Honore de Balzak, novela e Gjakmarrjes u shkrua ne një kohë të një mungese të madhe të rregullit social dhe moral dhe pasqyronte dëshirat e tij për "kohët e mira të vjetra". Burime të tjera të literaturës nga ana tjetër kanë tendencë t'a banalizojnë këtë fenomen. Nga pikëpamja e këtyre autorëve gjakmarrja është një shenjë e një karakteri të papjekur kulturor.

Sado të tunduar të jemi për të gjykuar fenomenin e gjakmarrjes, ekzistenca e saj mbetet e pakuptueshme në një shoqëri moderne si kjo e sotmja, veçanërisht pasioni që përfshihet në të, që mund të admirohet ose të përqeshet, por vështirë të kuptohet.

Gjakmarrja Dhe Rregulli Social

Gjakmarrja është përshkruar ndoshta si një mekanizëm primitiv, por efektiv për kufizimin e dhunës. Nderi nuk është domosdoshmërisht një aspekt i gjakmarrjes edhe pse shpesh përfshihet ne dinamikat e saj. Nderi është pjesë e aleancë-bërjes që në shumë shoqëri është si rezultat i gjakmarrjes dhe i frikës ndaj saj. Prandaj fenomeni i gjakmarrjes ka vërtetuar të jetë shumë me i komplikuar sesa palët e përfshira në të do të dëshironin të ishte. Shpesh prek shumë më shumë njerëz sesa ishte paramenduar nga fillimi. Një drejtues heroik dhe sakrilegj mund të imponoj për një moment rregulla strikte mbi gjakmarrjen për të ndaluar rrethin vicioz të gjakderdhjes. Ky fenomen kështu prek një numër çështjesh që janë thelbësore për një shoqëri, siç janë: familja, skllaveria sociale, dhe pikëpyetjet për shtetërimin. Edhe pse gjakmarrja sjell shumë konfuzion për spektatorët modern, do të ishte gabim i madh t'i konsideronin të njëjta gjakmarrjen me çrregullin social. Madje mund të merret me mend një nocion i caktuar i rregullit social në gjakmarrje. Fjala 'Kanun' përshkruan dhe nënkupton një set tradicional idesh qe është rregullator i gjakmarrjes. Në ngjashmëri të dukshme me "kanunin" ligji Roman tregon që vetë shoqeritë e konfliktuara shohin një rregull pas kaosit të dukshëm. Në disa shoqëri madje ligji i gjakmarrjes është e kundërta e kaosit. Parë nga ky këndvështrim, gjakmarrja është një mekanizëm social që shërben si faktor parandalues i dhunës që të mos shpërndahet në të gjitha drejtimet. Në hyrjen e Enciklopedisë Italiane, etnologu Italian Raffaele Corso (1930) sygjeron që themeli universal i çdo gjakmarrje është ideja që vetëm gjaku mund të lahet me gjak dhe me asgjë tjetër. "kushdo që derdh gjakun e një njeriu, me anë të njeriut do të derdhet edhe gjaku i tij. Sepse Perëndia e krijoi njeriun në shëmbëlltyrën e Tij (Zanafilla 9:6)". Ky është shpjegimi biblik i këtij koncepti. Mund të thuhet ndryshe se ata që vrasin për të marrë gjakun, e bëjnë këtë për të vendosur në vend dhe për të rregulluar një situatë që më parë është prishur nga dikush tjetër. Nga ky këndvështrim gjakmarrja shfaqet si të jetë 'një detyrim i shenjtë' i një grupi ndaj një ose disa personave të dëmtuar ose edhe të vrarë nga anëtarë të një grupi tjetër. Sipas Corso (1930) vrasja për gjakmarrje kryesisht drejton në dy forma të kohëzionit shoqëror: solidaritet aktiv dhe pasiv. Rregulli që i atribuohet dhunës është natyrisht shumë i dobët, por duhet të kuptohet që baza dhe ideja parësore e marrjes së gjakut ka qenë për të vendosur rregull dhe jo për të krijuar kaos. Nëse ne e pranojmë gjakmarrjen si një mekanizëm ndoshta primitiv për frenimin social të dhunës, menjëherë duhet të perballemi me faktin që është provuar gjithashtu që ajo të jetë një faktor i vazhdueshmërisë së dhunës. Ideja e marrjes së gjakut është kaluar nga brezi në brez derisa është realizuar dhe përmbushur. Nëse gjakmarrja kombinohet me çështjen e nderit (ashtu siç ka ndodhur shpesh), atëherë jo vetëm dëmtimi fizik duhet të shpaguhet me gjak, por gjithashtu edhe dëmtimi i nderit të personit. Psh. Sipas Kanunit të Lekë Dukagjinit, nëse në një konflikt të ashpër, dikush vret dikë tjetër duke i dëmtuar fytyrën, personi vrasës i ka marrë viktimës jo vetëm jetën, por edhe nderin e tij, pasi fytyra është simbolikë e nderit. Vrasësi do ta bënte një gjë të tillë vetëm nëse viktima gjatë konfliktit do ta cënonte nderin e vrasësit. Përndryshe nëse viktima nuk e ka bërë një gjë të tillë dhe është vrarë nga vrasësi duke iu dëmtuar fytyra, atëherë familja e dëmtuar ka të drejtën sipas kanunit që të marrë dy herë gjak ose të bëj një vrasje të ngjashme duke dëmtuar fytyrën tek personi që do të hakmerret. Kjo gjë mund ta bëj këtë ligj vërtet të komplikuar dhe të humbasë efektin e tij rregullues. Gjithashtu dhënia dhe marrja e 'Besës' mund të jetë një proçes lehtësues dhe ndihmues madje dhe sigurues për një farë kohe për disa anetarë të familjes së ngujuar, por kur nderi, që është si një rektor shpirtëror i grupeve dhe fiseve familjare, është nën kërcënim, gjakmarrja bëhet frikshmërisht e komplikuar.

Thyerja e Besës duket të jetë një burim i pashmangshëm i gjakmarrjes, sepse besa përfshin disa aktorë konfliktual, jo vetëm palët e konfliktuara në fillim. Keshtu psh, nëse një person vritet kur është mik në shtëpinë e dikujt tjetër, vrasësi e ka prerë në besë të zotin e shtepisë dhe ai do të kërkojë që të hakmerret për gjakun e personit të vrarë edhe nëse nuk ka asnjë lidhje gjaku apo farefisnore me viktimën. Gjithashtu është farefisi i personit të vrarë që mund të mbajë dy qëndrime ndaj një situate të tillë: Do të përpiqet vetë që të marrë gjakun e personit të tyre të afërt, ose do të detyrojë ose kërcënojë

të zotin e shtëpisë në të cilën u vra personi, që ai vetë të marrë hak për personin që u vra nën besën e tij.

Max Weber Mbi Gjakmarrjen

Teoria sociale e Maks Weber nuk e kupton shoqërinë si prodhim të një rrjedhje të parashikueshme të ngjarjeve. Dikush mund ta quajë teorinë e tij anti-marksiste pasi ajo refuzon idenë e historisë lineare dhe 'ligjeve' sociale. Ideja e Weber për zhvillimin historik mund të jetë shumë më mirë e krahasuar me një grup të komplikuar hekurudhash. Shoqëritë (ashtu si trenat) ndjekin gjurmët që ata mund të mos i kenë zgjedhur, por të cilat janë pasoja të zgjedhjeve të mëparshme. Weber argumenton se njerëzit dhe shoqëritë fillimisht nuk ishin aq të ndryshëm nga njëri-tjetri. Në fakt, edhe këto kultura gjeografikisht dhe filozofikisht të dallueshme, siç janë kinezët dhe evropianët ishin shumë të ngjashëm në fillim: "Sa më shumë që të kthehemi pas në histori aq më pranë janë kinezët dhe kultura e tyre me atë që mund të gjendet edhe në kulturën tonë.

Është përmes një proçesi që Weber e quan "racionalizim" që kulturat devijojnë gjithnjë e më shumë deri sa përfundojnë në "gjurmë" kulturore krejtësisht të ndryshme. Kuptimi i tezës së racionalizimit të Weber ka qenë shumë më i diskutuar. Problemi i lexuesit në përpjekjen për të kuptuar "racionalizimin" është se për Weber, "racionaliteti" ndonjëherë nënkupton edhe atribute të tjera si 'perëndimor', 'evropian' ose në rastin e ligjit racional edhe 'gjerman'. Nga njera anë racionalizimi është një proçes universal. Nga ana tjetër fjala racionalizim siç Weber e përdor, nënkupton zhvillim specifik të kulturës perëndimore. Nëse qëndrojmë në kuptimin e "racionalizimit" si një grup zgjedhjesh dhe degëzimesh kulturore që çojne në zhvillimin e zakoneve të caktuara kulturore, arrijmë të kuptojmë se pse Weber është kaq i interesuar në gjakmarrjen. Ne nuk do të të gjejmë ndonjë gjurmë të një historie Weberiane globale të gjakmarrjes. Por pavarsisht, gjakmarrja edhe sot dhe kësaj dite është me rëndësi qëndrore në argumentimin e Weber-it. Për të gjakmarrja është një institucion universal. I përket logjikës së çdo njeriu dhe çdo kulture. Politika nga ana tjetër, është më tepër një fenomen perëndimor. Përvec qyteteve, orienti kurrë nuk ka ditur mjaftueshëm rreth politikës sipas Weber. Qyteti oriental i cili ishte kryesisht i organizuar për qëllime administrative, mundet që teorikisht të ketë instaluar një entitet të politikes, por eficenca e tij zbehet shumë shpejt përtej mureve të qytetit. Banorët e fshatit mbështeteshin shumë në gjakmarrjen kur kishte të bënte me sigurinë personale dhe zbatimin e ligjit. Pra për Weber, kultura perëndimore është përshkruar edhe nga politika e forcës së saj publike. Eshtë një rrugë e drejtë nga gjakmarrja në politikë në shoqëritë perëndimore. Gjakmarrja dhe politika duhet të kuptohen si dy skajet e një linjë zhvillimi. Teoria e Weber për gjakmarrjen është një teori e forcës publike ose e dhunës politike.

Argumentohet se per Weber, i gjithë përdorimi i dhunës është politikë e qartë. Edhe pse mund të thuhet se dhuna dhe politika janë të lidhura ngushtë, një pamje e tillë duket të jetë pak dritëshkurtër. Janë të gjitha mënyrat e tranzicionit të vazhdueshem duke filluar nga lloji i përgjakshëm i konfliktit i cili, po të lëmë mënjanë të gjitha rregullat, synon shkatërrimin e kundërshtarit, me rastin e betejës së kalorësisë mesjetare, dhe te rregullat strikte të vendosura në sport nga rregullat e lojës. Do të ishte në këtë mënyrë një ekzagjerim po të supozohej se e gjithë dhuna për Weber është politike. Për ate e kundërta mund të aplikohet: "Të gjitha strukturat politike janë të bazuara në përdorimin e dhunës". Politika dhe dhuna mund të mos jenë të njëjta, por ato ndërlidhen shumë. Një 'komunitet politik' percaktohet si një komunitet veprimi shoqëror që ka për qëllim varësinë ndaj dominimit të rregullt nga pjesëmarrësit e një "territori" dhe sjelljen e personave brenda saj, përmes gatishmërisë së përdorimit të forcës fizike, duke përfshirë normalisht forcën e armëve". Pushteti politik në këtë kuptim mund të gjurmohet në të gjitha llojet e grupeve shoqërore, dhe madje edhe familja / klani në sytë Weber-it nuk është gjë tjetër veçse një formë shumë bazë e bashkësisë politike. Stabiliteti i strukturave klanore është e garantuar nga gjakmarrja. Ky koncept është universal dhe mund të gjenden në fazat e hershme të zhvillimit kulturor të të gjitha shoqërive. Gjakmarrja sipas Weber, mbetet burimi kryesor i sigurisë individuale në shoqëritë që nuk kanë një aparat të integruar për administrimin legjitim të forcës: Vetem kur grupi luftarak, i shoqëruar përtej rrjedhës së përditshme të jetës, është i përshtatur në një komunitet të përhershëm territorial dhe kur në këtë mënyrë një organizatë politike është formuar, që të

dy mbajnë një legjitimitet specifik për përdorimin e dhunës. I gjithë ky proçes ndodh në mënyrë graduale. Organizatat ushtarake mund të mbajnë mjetet e kontrollit të dhunës në duart e tyre, por kjo nuk është gjithmonë në interesin e tyre për të organizuar monopolin e forcës. Grupe të tjera shoqërore janë shumë më të interesuar në ndalimin e gjakmarrjes dhe organizimin e dënimit publik. Priftërinjtë janë ndër ata që kanë pasur një interes të gjallë në administrimin e 'denimeve', të cilat janë aplikuar gradualisht në vend te gjakmarrjes. Ndikimi i priftërinjve të krishterë dhe vendosmëria e tyre për t'i dhënë fund sistemeve të gjakmarrjes janë arsyet specifike për racionalizimin e forcës publike në Evropë. Dënimi - një term që përshkruan ndërhyrjen e një pale të tretë në një mosmarrëveshje, nuk është një shpikje e priftërinjve të krishterë, por ata janë përgjegjës për çështjet administrative dhe ligjore dhe ndërkaq të interesuar në zgjerimin e fushës së kompetencës. Gjakmarrja është një kërcënim serioz për kompetencën meshtare në shoqëritë perëndimore dhe kjo është një ndër arsyet pse ata janë të interesuar në nxjerrjen jashtë ligjit të saj. Priftëria orientale kurrë nuk ka pasur të njëjtin interes në luftimin ndaj gjakmarrjes, pasi interesi i saj primar qendronte në mbajtjen e rendit të caktuar. As priftërinjtë kinez apo indian nuk kishin ndonjë interes në rregullimin e dhunës. Për priftërinjtë indian, luftëtari përmbushte Besimin e tij dhe për rrjellojë nuk mund të bënte asnjë gabim. Për ata kinez, ruajtja e rendit ritual ishte shumë më i rëndësishëm se çdo rregullim i mosmarrëveshjeve. Në fakt lidhja me njerëzit e afërt ishte e një rëndësie të tillë fetare sa mbeti ritualisht e padiskutueshme gjatë tërë zhvillimit kulturor kinez. Zhvillimi i ndryshëm perëndimor ishte për shkak të disa degëzimeve kulturore specifike. Qyteti perëndimor ishte një vend i lirisë individuale më herët se ai oriental, së pari në kuptimin sipërmarrës dhe më vonë, edhe nga një këndvështrim politik dhe social. Ideja perëndimore e vëllazërisë së krishterë që vlerësonte vëllanë në besim më shumë se vëllanë në gjak dëmtoi fort etikat e gjakmarrjes. Më vonë, ideja e barazisë para Perëndisë (të paktën gjatë Kungimit të Shenjtë) ishte përgjegjëse për zhvillimin perëndimor të një etike që nuk i di kufijtë e klasës apo të klanit. Ky zhvillim specifik perendimor ishte paralel me një ndryshim gradual në kushtet ekonomike. Politika u bë një burim i rëndësishëm i sigurisë së tregut:

... zgjerimi i tregut në këtë mënyrë përbën një zhvillim i cili është i shoqëruar, përgjatë vijave paralele, nga (1) ai monopolizim i dhunës legjitime nga organizata politike e cila gjen kulmin e saj në konceptin modern të shtetit si burimi i fundit i çdo lloj legjitimiteti për përdorimin e forcës fizike; dhe (2) ai racionalizim i rregullave të zbatimit të saj e cila kulminohet në konceptin e rendit legjitim juridik.
Ky zhvillim është shumë perëndimor dhe i ndryshëm nga modelet universale të organizimit shoqëror për dy arsye themelore: së pari, karakteri i qytetit perëndimor dhe, së dyti, krishtërimi. Të dy kanë luajtur një rol të rëndësishëm në prishjen e rolit social të strukturave të klanit që mbeten përgjegjëse për vazhdimësinë e gjakmarrjes në shoqëritë orientale gjatë gjithë zhvillimit të tyre kulturor. Berserk me përshtatjet e tij të fiksuara të rendit dhe të kalorësisë, me dëshirën e tij për të matur veten me një kundërshtar nderi heroic, i cili është provuar në mënyrë që të fitojë nderim për veten e tij, janë që të dy të huaj për disiplinën [moderne];së pari për shkak të paarsyeshmërisë në të bërin e saj. Së dyti për shkak të qëndrimit të tij të papërshtatshëm të brendshem. Në sytë e Weber, gjakmarrja është një mjet universal i dhunës politike e cila, për shkak të disa degëzimeve kulturore, është eliminuar në shoqëritë perëndimore nga monopoli i dhunës nga ana e shtetit modern dhe perms përfaqësuesit të tij më të dukshëm, politokës. Ideja e politikës dhe për rrjedhojë edhe ndalimi i gjakmarrjes janë të huaja për shoqëritë orientale. Pasionet që janë të lidhura me gjakmarrjen janë të huaja për njeriun modern, sepse ai i gjen ato të paarsyeshme dhe shqetësuese.

Emile Durkheim Mbi Gjakmarrjen

Kur Weber flet për komunitetet politike, ai gjithashtu shkuran per dhunën. Emile Durkheim nga ana tjetër, është shumë më tepër i interesuar për kufijtë moralë që lidhin anëtarët e një shoqërie të caktuar. Për Weber i gjithë evoluimi social rrjedh nga fisi, i cili garanton sigurinë individuale përmes gjakmarrjes. Nëse një komunitet nuk është i aftë të garantojë sigurinë individuale përmes metodave të dhunës – ose të paktën kërcënimin përmes saj- nuk është një komunitet politik, sipas përkufizimit të Weber. Gjakmarrja është forca fillestare e gjithë skllavërisë shoqërore. Sociologjia e Durkheim është e interesuar kryesisht për fatin e "moralit" në shoqëri. Fjala 'moral' në frëngjisht siç është përdorur nga Durkheim, ka një kuptim mjaft të gjerë dhe është përkthyer drejt nga Anthony Giddens dhe

përfshin si "moralin" po ashtu edhe "etikën". Është ajo forcë që e kthen njeriun në një qenie shoqërore. Për Durkheim, njeriu është një qenie pasionante që vazhdimisht ka lakmi për më shumë. Morali është në gjendje të menaxhojë këto pasione individuale për t'i kthyer ato në vlera kolektive. Prandaj morali është forca kryesore e rendit shoqëror dhe madje edhe më shumë se kaq. Shoqëria për Durkheim, është 'atmosfera shoqërore e njeriut' pa të cilën ai nuk bën dot. Çdo shoqëri është një shoqëri morale ose nuk është fare shoqëri. Standartet e moralit janë te impostuara në njeriun nga trupi shoqëror i përbashkët ose morali përkeqësohet dhe njeriu rrjedh në pasionet e tij në një mënyrë patologjike vetë-shkatërruese. Në shikim të parë, kjo nuk duket se prek aspak problemin e gjakmarrjes. Standartet e moralit ndiqen jo për shkak të frikës individuale të ndëshkimit, por si rezultat i respektit. Kur ne e shfaqim veten ndaj impulseve kryesore të shoqërisë ne nuk e bëjmë këtë për shkak se ajo është më e fortë se ne. Normalisht është autoriteti moral që investon në gjithë rezultatin e aktivitetit social dhe që përcakton shpirtërat tanë dhe vullnetin tonë. Morali nuk mund të imponohet përmes mjeteve të dhunës. Përkundrazi; "Është përmes mjeteve mendore që ushtrohet presioni shoqëror. Por në fakt shoqëria e tillë është e dhunshme. Shoqëria për Durkheim është një trup i pavarur që është më tepër sesa totali i të gjithë anëtarëve të saj individualë. Është një entitet që e formon njeriun sipas vullnetit të saj. Shoqëria është e mundur vetem me këtë cmim.

Nga njera anë shoqëria nxit forcat njerëzore por nga ana tjetër është e vrazhdë me individin…dhe është vazhdimisht e dhunshme me ne dhe me urine tonë të natyrshme pikërisht sepse na lartëson ne përtej. Ndonjëherë morali imponohet përmes dhunës për të formuar njeriun social. Për këtë arësye sanksionet e dhunshme sociale na tregojnë shumë për vlerat morale dhe janë gjurmët që çojnë në interesin e Durkheim në gjakmarrjen. Durkheim është i interesuar në shoqëri për vetveten dhe kjo gjë sjell një sociologji në kuptimin e vërtetë të fjalës. Shoqëria për Durkheim, është "një send" ose "një objekt" që mund të analizohet shkencërisht siç ndodh me çdo objekt tjetër. Shoqëria thekson vlerat që janë të nevojshme për ndërgjegjen e përbashkët. Një shoqëri nuk ekziston pa anëtarët e saj. Edhe pse ajo është më e fortë se individi, shoqëria varet në idenë e përbashkësisë. Kjo është ajo ide me të cilën ka të bëjë ndërgjegjia e përbashkët. Shoqëria e bën njeriun moral dhe anasjelltas, njeriu moral e bën shoqërinë. Ndërgjegjia e përbashkët është shoqëria brenda secilit prej anëtarëve të saj. Njeriu është në të njëjtën kohë subjekt dhe objekt i shoqërisë në të cilën jeton. Eshtë një shoqëri e tillë ajo që mëson dallimin mes normalitet moral dhe patologjisë morale. Dhe shoqëria është gjithashtu përgjegjëse për përkufizimin e asaj që është profane dhe çfarë është e shenjtë. Në kufirin mes njerës dhe tjetrës, ajo ka vendosur sanksione për t'a treguar këtë kufi. Sanksioni kryesor që dallon normalitetin nga patologjia është ndëshkimi fizik. Kufiri mes të shenjtës dhe profanes shpesh shoqërohet me lëndim trupor. Fillimi (i cili për Durkheim është nga një status profan në një të shenjtë) në shumë shoqëri është i lidhur me dhimbjen. Dhuna për Durkheim, mund të mos jetë forca e rendit shoqëror siç është për Weber, por është një tregues që ndihmon në shqyrtimin e standarteve morale të shoqërive të ndryshme. Sanksioni i dhunës është një kufi i qartë mes asaj që është shoqërisht e pranueshme dhe asaj çfarë nuk është. Morali nuk imponohet nga sanksioni, por sanksioni është i përdorur për moral. Kështu sanksionet (të dhunshme ndonjëherë) na tregojnë ne se ku mund të gjenden kufijtë morale të një shoqërie të caktuar. Durkheim dallon dy lloje të skllavërisë shoqërore: solidariteti mekanik dhe organik. Ai e quan llojin e pare të solidaritetit "mekanik" sepse njerëzit në një shoqëri të tillë janë të gjithë të ndërlidhur me njeri-tjetrin si pjesët e një makine. Një lëvizje në një pjesë të shoqërisë do të çojë në një reagim të trupit social si një i tërë. Solidariteti 'Organik' (dikush mund të thotë edhe 'modern') nga ana tjetër, iu jep liri të mëdha personale anëtarëve të shoqërisë të cilët specializohen në aktivitete të ndryshme dhe bashkëpunojnë lirisht me njeri-tjetrin. Solidariteti mekanik është i lidhur me idealet fetare që fokusohen në vetë shoqërinë. Në të kundërt, solidariteti organik percepton individin si zot të idhujtarisë sociale. Sipas Durkheim, dikush mund të tregojë një progres botëror nga njera formë e solidaritetit shoqëror në tjetrën. Duke përdorur shembullin e dhunës në sport, Eric Dunning (198:135-138) ka dhënë një pamje mjaft të saktë të asaj çfarë diferencimi i Durkheim-it për solidaritetin mekanik dhe organik çon kur shoqërohet me idetë e tij mbi dhunën. Vëzhgohet në mënyrë rigoroze teksa anëtarët e solidaritetit mekanik janë të ekspozuar ndaj presionit të pakët social në lidhje me ndjenjat e tyre agresive, ndaj anëtarëve të solidaritetit organik dhe ndaj epshit të tyre për dhunë. Solidaritetet mekanike janë përdorur për shpërthime publike të dhunës pasionante; solidaritetet organike preferojnë ti mbajnë pasionet e tyre "prapa skenave". Dallimi më interesant është të gjendesh në pranimin shoqëror të dhunës. Solidaritetetet organike janë tolerantë vetëm në lidhje me përdorimin

racional të dhunës, ndërsa solidaritetet mekanike pranojnë përdorimin e tepruar të saj. Dunning ka zgjedhur futbollin si një shembull që të çon në pak lloje të dukshme të luajtjes së drejtë dhe të padrejtë në solidaritietin organik. Kockat e kundërshtarëve rrallë thyhen gjatë ndeshjes. Agresioni është përkundrazi verbal dhe e tërë loja është e vendosur nën një regjim të rreptë rregullash. Jo vetëm dhuna si e tillë, por edhe dhuna shoqërore qe përcakton kufinjtë mes sjelljeve të pranuara shoqërore dhe jo të pranuara ndryshojnë mes solidaritetit mekanik dhe organik. Solidariteti mekanik tenton drejt vendosjes së kufijëve drastik dhe shpesh dëshmon të jetë mizor dhe pasionant. Si janë të gjithë anëtarët të ndërlidhur si pjesë të një makine, reagimi ndaj një shkelje nga njeri prej anëtarëve të saj mund të jetë vetëm dëbimi nga shoqëria. Reagimi ndaj dëmit të jashtëm është po aq i ashpër dhe pasionant. Çdo dëm që është pasqyruar në trupin shoqëror konsiderohet si një kërcënim për të gjithë sistemin. Reagimi kundër dëmit është ndërkaq pasionant, kolektiv dhe i egër. Përderisa shoqëritë mekanike të solidaritetit varen fuqishëm nga emocionet e anëtarëve të tyre, një shpërthim periodik i këtyre ndjenjave nuk mund të shmanget. Në fakt dhuna e vazhdueshme pasionante që mund të konsiderohet si heroike ose thjesht shkatërruese. Ka periudha historike gjatë të cilave ndërlidhjet shoqërore bëhen shumë më tepër të shpeshta dhe aktive. Ndryshimet nuk janë vetëm me nuanca ose gradë. Njeriu bëhet ndryshe. Pasionet e acaruara janë aq intensive saqë ata nuk mund të jenë të kënaqur përvecse në akte të dhunshme të heroizmit mbinjerëzor apo barbarizmit të përgjakshëm. Solidaritetet organike nga ana tjetër, nuk dinë asgjë rreth pasioneve irracionale të solidaritetit mekanik primitiv. Edhe ata vendosin kufijtë mes moralit dhe imoralitetit, por ata nuk përdorin dhunë të papërshtatshme për të restauruar trupin shoqëror. Perdorimi modern i dhunës është drejtuar kundër individividit si një mjet për riintegrimin me vonesë në shoqëri. Shoqëria moderne ndëshkon "jo sepse ndëshkimi jep ndonjë kënaqësi kundrejt dikujt, por për shkak të bindjes së saj se një dënim paralizon dëshirat e këqija". Një kërcënim për shoqërinë nuk ndihet shumë gjallërisht siç është në solidaritetin mekanik. Energjia e përbashkët e cila në shoqërinë primitive çon në shpërthime të rregullta të pasionit, në shoqëritë moderne është e zhdukur. Ndarja e punës çon në multifunksionimin social dhe njeriu tani mund t'i zhvillojnë pasionet për punën e tij. Pasioni i përbashkët që dikur siguronte stabilitetin social në solidaritietet mekanike tani bëhet një pasion profesional i specialistëve. "Hulumtuesi, inxhinieri, mjeku... ata të gjithë kanë nevojë për vazhdueshmeri dhe energji po ashtu. Por kjo është një vazhdueshmeri më e heshtur dhe më pak energji e djegur. Gjithçka është më e qetë dhe e vazhdueshme" (Durkheim,1975b). Në këtë pikë mund të flasim për gjakmarrjen, e cila natyrisht nuk është aq themelore për Durkheim siç është për Weber. Argumenti i Weber që, zhvillimi i pushtetit politik për një kohë të gjatë mban përcaktimin ligjor të gjakmarrjes, është i huaj për idetë e vendosura të Durkheim. Për Durkheim, gjakmarrja është kryesisht një nga manifestimet e pasionuara të lidhjes personale mes pjesëtarëve të një grupi të solidaritetit mekanik. Në shoqëritë primitive të bazuara në klanizim, anëtarët e një grupi janë identikë me anëtarët e një shoqërie. Çdo njeri është i lidhur personalisht me të tjerët. Në këto solidaritete mekanike një lidhje e tillë është e manifestuar në disa mënyra të tilla si; "detyra e ndihmës së përbashkët, gjakmarrjes, pikëllimit". Anëtarët e një shoqërie të caktuar njohin njeri-tjetrin në kryerjen e këtyre detyrave të cilat përcaktojnë dallimin midis anëtarit të klanit të tyre dhe të klanit huaj. Ndjenjat e zemërimit dhe pasigurisë sociale nxisin pasion për hakmarrje, e cila është ndërkaq tipike e shoqërive që janë të themeluara në solidaritetin mekanik. Ajo shërben si një mjet i stabilitetit shoqëror, por në fakt është shumë primitive dhe nuk duhet krahasuar me ndëshkimin racional. Gjakmarrja është një sjellje mjaft e paarsyeshme dhe e çastit e cila gjen rrënjët në ndjenjat personale. Shoqëria e solidariteti mekanik kërkon të marrë hak në mënyrë që të sigurojë qëndrueshmërinë e saj, por varet nga pasioni i anëtarëve të saj nëse hakmarrja do të ekzekutohet ose jo. Realisht stabiliteti social nuk varet nga ajo. Sipas Durkheim, gjakmarrja është një ndeshkim i cili është njohur si i ligjshëm nga shoqëria, edhe pse ekzekutimi i saj është i porositur nga anëtarë individual. Gjakmarrja nuk jep asnjë legjitimitet të rendit shoqëror siç e jep në teorinë e Weber. Shoqëria pranon gjakmarrjen si një nga masat e mundshme për të siguruar stabilitetin e saj. Megjithatë mjete të tilla janë shumë primitivë. Standardet morale mund të vendosen me anë të gjakmarrjes, por saktësia e masave të tilla është shumë e ulët në sytë e Durkheim. Gjakmarrja për Durkheim është një fenomen që mund të kuptohet vetëm në lidhje me solidaritetin mekanik. Solidariteti organik nuk i kupton pasionet që ushqejnë marrjen e gjakut. Gjakmarrja është një reagim shumë i pasionuar dhe i pamenduar ndaj kërcënimit të jashtëm dhe kjo ndihmon për të dalluar anëtarët e grupit dhe të huaj. Ky nuk është një sanksion i vërtetë social pasi ekzekutohet nga individët. Por

megjithatë shoqëria më shpesh pranon përdorimin e marrjes së gjakut si një zbatim të moralit në solidaritetin mekanik.

Perfundime

Që të dy, Weber dhe Durkheim shkojnë përtej pyetjes nëse gjakmarrja shkakton rend shoqëror ose çrregullim të këtij rendi. Të dy pretendojne se ajo ka të bëjë me rendin shoqëror në shoqëritë jo-moderne. Për Weberin, ajo është edhe mjeti më i nevojshëm i rendit shoqëror në shoqëritë që kanë tendencë të racionalizojnë lidhjet familjare më shumë sesa idenë e etikës të përgjithshme. Në të kundërt, një shoqëri e kontrolluar është në fakt shumë larg nga ideja e gjakmarrjes pasi ajo ka racionalizuar sferën publike më shumë sesa marrëdhëniet farefisnore përgjatë zhvillimit te saj. Politika për Weber është një fenomen perëndimor, sepse vetëm Perëndimi ka zhvilluar një shkallë të tillë të racionalitetit saqë ndjenja e pasionuar e nderit apo zemërimit është zëvendësuar nga disiplina dhe logjika. Durkheim është gjithashtu i bindur se shoqërisë moderne i mungojnë pasionet e egra që kulminojnë në gjakmarrje. Pasionet në shoqërinë moderne janë më shumë individuale se sa kolektive dhe përdoren për karrierën personale dhe jo për vendosjen e axhendave kolektive. Sipas Wolfgang SCHLUCHTER (1988), Max Weber paraqet një teori sociale antropocentrike ndërsa sociologjia e Durkheim dëshmon të jetë më sociocentrike. Në fakt Weber është i interesuar kryesisht në arsyet individuale për të rënë dakord me një sistem të gjakmarrjes, ndërsa Durkheim thekson efektet e saj të përgjithshme në shoqëri. Për Weber gjakmarrja është argumenti qendror për pushtetin politik në shoqëritë primitive. Individi i një shoqërie të tillë pajtohet me fuqinë detyruese të trupit politik, sepse ai mund të mbështetet në marrjen e gjakut nëse ai dëmtohet nga dikush jashtë grupit të tij. Shoqatat më të mëdha politike që kapërcejnë përmasat normale të klaneve e kanë ruajtur trillimin ligjor të gjakmarrjes edhe pse gjaku mund të mos merret në çdo rast dhe për çdo anëtar të shoqërisë. Janë vetëm format moderne të shoqërisë që shkojnë përtej idesë së gjakmarrjes dhe që e menaxhojnë dhunën dhe forcën përmes politikës dhe ushtrisë. Durkheim nga ana tjetër, argumenton se shoqëria është një trup moral që e mundëson njeriun të bëhet një qenie shoqërore. Shoqëria përkufizon vlerat morale dhe i zbaton ato me sanksione që dënojnë shkeljet e standardeve morale. Gjakmarrja në sytë e Durkheim, është për këtë arsye vetëm një nga sanksionet e shumta të mundshme që zbatojnë shoqërizimin në shoqëritë primitive.

Një tjetër dallim mes Weber dhe Durkheim është perspektiva e tyre mbi modernizmin. Për Durkheim modernizmi është një lëvizje universale i cili në disa shoqëri ka marshuar me një ritëm më të shpejtë se diku tjetër. Gjakmarrja është e lidhur ngushtë me solidaritetin mekanik dhe do të tejkalohet kur e gjithë bota të ketë arritur solidaritetin e plotë organik. Për Weber modernizmi është rezultat i zhvillimit kulturor perëndimor, i cili degëzohet nga tendencat universale diku gjatë evolucionit të tij social. Qytetërimi perëndimor dhe Krishterimi janë dy nga gurët më të rëndësishëm të qëndrueshëm të ftohtësisë perëndimore nga zhvillimi i tendencave normale universale. Gjakmarrja këtu bëhet më pak e rëndësishme, sepse afrimiteti e humb rëndësinë e tij. Në shoqëritë perëndimore farefisnia si një bashkësi politike është zëvendësuar gradualisht nga zbatimi i ligjit publik. Për Weber gjakmarrja është shtylla qëndrore e një komuniteti politik. Është një fenomen universal i ngjashëm me ‘stacionin hekurudhor’ historik prej të cilit janë nisur të gjithë ‘trenat’ kulturor drejt komuniteteve të ndryshme politike. Gjakmarrja është bërthama e historisë politike botërore për zhvillimin kulturor dhe madje moderniteti dhe politika moderne, nuk mund të kuptohen nëse nuk e marrim në konsideratë gjakmarrjen. Durkheim nga ana tjetër, nuk i jep këtë rëndësi gjakmarrjes. Për të morali social nuk ka nevojë për dhunë ose forcë për t’a imponuar veten tek anëtarët e saj. Kështu komunitetet pokitike janë morale ne vend që të jenë entitete të dhunës. Gjakmarrja del në skenë kur Durkheim flet për mjetet e vendosjes së moralit në solidaritetet mekanike. Nuk shikohet si një instrument qëndror, por si një zgjighje e pakëndëshme dhe shumë pasionante për problemet ligjore. Kur instalohet solidariteti organik, pasionet për hakmarrje humbasin dhe nuk kanë më përdorim ligjor. Për ta përmbledhur këtë ndryshim, dikush mund të analizojë se argumenti sociologjik i Weber është kulturor ndërsa sociologjia e Durkheim shqetësohet me shumë për moralin. Kjo e shpjegon tkurrjen e Durkheim për t’u marrë me gjakmarrjen sepse kufizon reflektimet e tij për moralin social në solidaritetet mekanike. Për Weber gjakmarrja është një fenomen social i këndshëm në dukje që e ndihmon atë të zhvillojë dhe

të shpjegojë idenë e tij për degëzimin kulturor të Orientit dhe të Perendimit. Durkheim bën ndryshim mes shoqërive modern (organike) dhe paramoderne (mekanike). Një zhvillim universal nga njera fazë në tjetrën është vetëm cështje kohe. Teoria e tij e modernizimit mund të quhet një teori kronologjike. Weber argumenton që zhvillimi oriental nuk do të drejtohet kurrë drejt modernitetit. Vetëm shoqëritë perëndimore kanë përjetuar evolucionin modern. Për të, ndryshimi universal nuk është kronologjik por gjeografik. Lindja do të jetë moderne vetëm përmes importit kulturor, ndërsa Perendimi është bartësi dhe zhvilluesi i modernitetit dhe kulturës së tij.
Çfarë mund të mësojmë ne prej Weber dhe Durkheim në lidhje me gjakmarrjen? Para së gjithash mësojmë se për t'iu përqasur fenomenit duhet një kornizë komplekse e teorisë sociale. Cila është alternativa e një shoqërie që mbështetet në gjakmarrjen? A është shoqëri moderne dhe çfarë është moderniteti? A është një fenomen kulturor apo moral, gjeografik apo kronologjik, individual apo social? Ne mund të ndjekim Durkheim duke shpresuar që shumë shpejt gjakmarrja do të zëvendësohet me solidaritetin organik. Por çfarë duhet të bëjmë ne ndërsa presim që kjo gjë të ndodhë. Ne gjithashtu mund të ndjekim Weber dhe të supozojmë që kulturat orientale nuk janë të ndërtuara që ta mposhtin vetë gjakmarrjen. A mundet që pasoja e një teorie të tillë te jetë dicka si një sistem global apartheid që ndan botën në dy gjysma, në atë orientale dhe perëndimore? Të dy rezultatet janë të përmasave gjigande për t'u përdorur praktikisht. Ndoshta zgjidhja mund të kërkohet në baza shumë më të vogla. Që të dy, Weber dhe Durkheim bien dakort që gjakmarrja ka të bëjë sa me pasionin po aq edhe me mendimet legale. Dhe gjithashtu është një fenomen i shoqërive jo-moderne. Gjakmarrja është më shumë se thjesht një veprim i nxehtë dhe i pamenduar. Është një problem ligjor që është i ndërlidhur me ndjenja të forta të drejtësisë dhe të rregullit moral. Prandaj nuk është dhe aq e huaj sa ç'duket në pamje të parë për vëzhguesin modern. Pothuajse çdo shoqëri ka bërë përpjekje për t'i qetësuar këto pasione për të parandaluar derdhjen e gjakut. Zakoni mesjetar legal i të pritjes për tri ditë ose edhe shtatë javë që të kalojnë para se të merret gjaku në mënyrë të dhunshme, është një ndër shumë përpjekje për të ndaluar pasionin që situata të mos bëhet edhe më keq. Kështu nëse jemi në dakortësi me Weber dhe Durkheim dhe përsa i përket gjakmarrjes si një fenomen pasioni, ne gjithashtu mund të biem dakord që zgjidhja e saj qëndron në proçesin e ngadalsimit dhe qetësimit të pasionit të ndarë vecmas nga kultura, feja dhe nga nuancat e modernitetit. Nuk kemi nevojë të shkojmë aq larg sa shkoi Georges Sorel, i cili u përpoq të rivendoste pasionin si një mjet ligjor. Ne thjesht duhet të pranojmë që pasioni ka të bëjë më shumë me mendime legale se ç'mund të duket nga fillimi. Autorët perendimor kanë shkruar për gjakmarrjen me ndjenja zemërimi dhe admirimi në të njëjtën kohë sepse pasionet për ta pasqyrojnë një parajsë të humbur të shfaqjes hapur të ndjenjave. Kështu gjakmarrja është përshkruar si burrërore ashtu edhe fëminore. Në raste të tjera nuk është asnjera prej këtyre përvecse një pasion legjitim që duhet të formohet në sens ligjor. Asnjë kulturë nuk pranon shfaqen e egër të ndjenjave të gjakmarrjes. Çdo kulturë njëh dhe përdor mekanizma që shërbejnë për t'i qetësuar këto ndjenja. Mësimi praktik që mësohet është që të globalizohen mekanizmat e kontrollit të pasionit dhe të përpiqemi të gjejmë marrëveshje transkulturore për këtë gjë për të arritur një modernitet organik ose perendimor.

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PHD. (C) ALBERTA TAHIRI – ZHVILLIMI DHE RËNDESIA E TURIZMIT NË KOMUNEN E PEJËS

PHD. (C) ALBERTA TAHIRI
Kolegji Internacional Prizren

Abstrakti

Pozita gjeografike e Kosovës në qendër të Gadishullit Ballkanik. Zhvillimi i turizmit malor, me të gjitha specifikat që Kosova disponon në potenciale të mëdha, duhet të shfrytëzohet, si dhe burimet shumta termominerale. Disponon me begatitë e shumta kulturore dhe historike, por është i domosdoshmëm shfrytëzimi i kapaciteteve receptive dhe përmirësimi i kushteve, sipas standardeve turistike, si dhe vënia e tyre në funksion të ofertës turistike: turizmi afarist, transit, dimëror, i fundjavës, i gjuetisë dhe turizmi shëndetësor (balnear). Të gjitha parametrat tregojnë se Kosova disponon me potenciale të shumta turistike, të cilat premtojnë në perspektivë.

Me turizëm nënkuptojmë lëvizjen e njerëzëve me qëllim rekreacioni, argëtimi, shërimi dhe zgjerimi të njohurive kulturore. Edhe pse Kosova është hapësirë e vogël gjeografike, me motivet natyrore dhe njerëzore që ka, ofron mundësi të mira për zhvillimin e disa llojeve të turizmit vendas, rajonal, ndërkombëtar, stacionar dhe transit.

Zhvillimi i Turizmit në Komunën e Pejës

Historia e vjetër e qytetit, potencialet dhe pasuritë e shumta kulturore dhe ato natyrore me të cilat disponon komuna e Pejës si dhe pozita gjeografike dhe lidhjet rrugore që i ka me shtetet tjera, ka mundësuar që Peja të ketë një zhvillimin të hershëm të turizmit.
Në kohërat më të hershme, në Pejë flitet për një zhvillim të turizmit transit. Meqenëse Peja gjithmonë ka qenë rrugë lidhëse në mes të vendeve të ndryshme (Pejë – Qakor - bregdeti Adriatik) çka ka ndikuar që Peja të jetë pikë pritëse dhe pushimi të kalimtarëve, prandaj edhe zhvillimin i turizmit është parë një ndër alternativat më të mira për zhvillim ekonomik të vendit.

Turizmi në komunën e Pejës zë fill qysh në kohërat Iliro-Dardane, që në atë kohë burimet e ujërave termale në Ilixhe (banjën e Pejës) janë shfrytëzuar nga shumë njerëz për shërimin e sëmundjeve të ndryshme që kanë ardhur nga vendet e ndryshme, e këtë mund ta përkufizojmë edhe me një ngritje apo lulëzim të turizmit shëndetësor, e që edhe në ditët e sotme këto ujëra shfrytëzohen për të njëjtën çështje, ndërsa, tani ekziston një infrastrukturë mjaft e mirë turistike në këtë vend e cila është e njohur.279

Me paraqitjen e kërkesave të mëdha turistike dhe rendësin e turizmit, në Pejë filluan të ndërtohen "Konaqet dhe Hanet" të cilat kanë shërbyer si vende akomoduese për vizitorët të cilët kanë qëndruar në Pejë. Më vonë në komunën e Pejës u ndërtuan objekte të ndryshme hoteliere , në vitin 1929 Hotel "Korza", pastaj kampi "Karagaq" që shfrytëzohej nga turistët tranzit nga viset e ndryshme të Evropës, hotel "Metohija" (tani "Royal Ardarei"), motel "Karagaq" dhe "Nora" të cilat kapacitete shërbenin në ngritjen e ofertës turistike të komunës.280

Ekzistojnë shume publikime shqiptare dhe te huaja që ndihmojnë turistet të informohen mbi burimet turistike te të gjitha llojeve që disponohen aktualisht në Peja.

[279]Faqja zyrtare e Komunës së Pejës. Zbartur nga faqja e intrnetit me 16 shkurt 2015. Për më shumë : https://kk.rks-gov.net/peje/Assembly-5.aspx
[280] Faqja zyrtare e Ministrisë së Tregtise dhe Industrisë, Departamenti I Turizmit. Zbartur nga faqja e intrnetit me 16 shkurt 2015. Për më shumë : www.mti-ks.com

Zonat turistike lokale të Pejës : 281

Zona turistike e Pejës me rrethinë
Lokaliteti turistik i Karagaqit,
Lokaliteti turistik Lugina e Lumëbardhit,
Zona turistike e Rugovës:
Lokaliteti turistik i Grykës së Rugovës,
Lokaliteti turistik i Bjeshkës së Lumbardhit (Bjeshka e Lumbardhit dhe e Milishevcit),
Lokaliteti turistik i Leqenatit (Bjeshka e Leqenatit dhe Liqejt),
Lokaliteti turistik i Bogës (Kuqishtë, Stankaj, Haxhaj, Bogë, Shkreli),
Lokaliteti turistik i Drelajve (Drelaj, Shtupeq i Madh / Vogel, Dugaiv, Reka e Allagës, Rusolia, Lipa, Pepaj, Malaj).
Zona turistike e luginës së Drinit:
Lokaliteti turistik i Burimit të Drinit.
Zona turistike e Kopranikut (Bjeshka e Irzniqit):
Lokaliteti turistik Bjeshka e Irzniqit (Bjeshka e Irzniqit, Kopraniku, Çfërla)

Shikuar në aspektin e zhvillimit turistik, komuna e Pejës ndahet në katër zona turistike. Zona turistike e qytetit të Pejës me rrethinë, Zona turistike e Rugovës, Zona turistike e Luginës së Drinit, Zona turistike e Kopranikut.

Pozita gjeografike e Pejës dhe bjeshkeve ka bërë të ndahet , klima, drejtimet e transitit turistik, komplekset dhe pasuritë e trashëgimisë natyrore dhe kulturore, lokalitetet e gjuetisë dhe fshatrat, ofrojnë mundësi për zhvillimin e këtyre formave të turizmit, gjuetia etj.

Pasuria, shumëllojshmëria etnike dhe kulturore por edhe tërësitë e ruajtura kulturore historike dhe monumentet e veçanta, midis të cilëve ka të tillë që janë atraksione unike për një klientelë të caktuar. Oferta turistike e ekskursioneve ditore dhe të fundjavës, në bazë të elementeve ekzistuese natyrore, që ka si qëllim rekreacionin dhe pushimin e vazhdueshëm të banorëve.

Duke u nisur nga trendet aktuale dhe trendet e parashikuara të kërkesës ndërkombëtare turistike, ekzistojnë mundësi reale në plasimin e ofertës turistike në tregjet ndërkombëtare. Oferta kulminante turistike e Pejës, që përfshinë rrethin më të gjerë të kërkesës lokale, rajonale, kombëtare dhe ndërkombëtare bazohet në: peizazhet masive malore, që kanë potencial të madh pranimi, natyra e ruajtur, sidomos flora dhe fauna, lartësitë malore që arrijnë mbi 2500m, me kushte të përshtatshme klimatike për zhvillimin e turizmit veror e sidomos të atij dimëror; rrjeti i vendbanimeve me ofertën e organizuar të serviseve shërbyese që lidhen me korridoret kryesore të komunikacionit, si sistem hapësinor i zhvillimit të qarkullimit dinamik; atraksionet natyrore me bukuri të veçanta si: Kanioni i Rugovës, Burimi i Drinit të Bardhë, Shpellën e Radacit, shpellat ne Grykë të Rugovës etj.

Zona turistike e Pejës me rrethinë

Të dhëna statistikore për Pejën

Përshkrimi	Përshkrimi	Numri ose %
Popullsia	Gjithsej	125752
	Shqiptarë	90%
	Boshnjak	3.5%
	Të tjerë	6.5%
Gjeografia	Sipërfaqja (km2)	603
	Numri i fshatrave	

[281] Qeveria e Kosovës, Projektet e Produktit Turistik në Rajonin Turistik të Bjeshkëve të Nemuna (Alpet Shqiptare) Prishtinë 2008

Shkollimi	Pa shkollë/fillore e papërfunduar	12.55%
	Fillore/e mesme e papërfunduar	33.35%
	E mesme	40.22%
	Shkollë e lartë	13.14%
	Universitet	0.73%
	Nr. i nxënësve	23442
	Nr. i mësimdhënësve	1286
	Nr. i shkollave të mesme (me paralele të ndara)	5
	Nr. i shkollave fillore(me paralele të ndara)	42
	Nr. i çerdheve	1
Shëndetësia	Spital	1
	Qendra Kryesore e Mjekësisë Familjare	1
	Qendra të Mjekësisë Familjare dhe punkte shëndetësore	24
	Nr. i mjekëve	105
Papunësia	Gjithsej	34.90%
	Meshkuj	27.60%
	Femra	49.06%
Të punësuar	Fuqi punëtore (15-64 vjet)	76,709
	Të punësuar në sektorin publik komunal	2,322

Burimi : ASK

Peja antike dhe objektet relegjioze të saj

Peja e vjetër antike, shtrihej në anën lindore te rrjedhës së lumit Lumbardh, si dhe në anën e djathtë të stacionit hekurudhor, në Fushën e Pejës, për Pejën e lashtë flasin shumë edhe shenimet e Evansit dhe Çershkovit (si Siparant dardan), Peja permendet edhe në harten e "Gjeografisë"së Ptolomeut e cila u përgadit në gjysmen e shkekullittë dytë,në Aleksandri.

Me rastin e ndërtimit të fabrikes se baterive industriale, gjatë gjurmimeve arkeologjike në vitin 1978/79,u zbuluan objekte të lëvizhshme ; gurë mbivarror (stela,cipus), stoli, armë etj. Disa nga objektet e gjetura në këtë lokalitet gjënden në muzeun Etnografik të Pejës; një stele dhe një cipus qe i takojnë shek. I e, s. Stela është punuar nga mermeri i bardhë dhe ka këto dimenzione; 195x 65x25 cm, në pjesen ballore të sajë janë të paraqitura 3 figura me mbishkrime në gjuhen latine,po ashtu edhe cipusi është punuar nga mermeri i bardhe dhe lartësia e tijë arrin 90 cm.

Peja paraqet një thesar të pasur të monumenteve kulturore-historike të periudhave të ndryshme të cilat dallohen për llojllojshmerinë, kualitetët dhe rëndësinë historike të tyre, të gjeturat arkeologjike të përiudhave romake, por edhe të përiudhave ma të vonshmesi; reliktët e bazilikës së krishtërimitë hërshem në këtë anë, këto arte-fakte tregojnë se periudha paleokristiane haste në këtë hapsirë që nga itinerarët apostolike të Shën Palit dhe nxënseve të tij në Iliri.

Skllavet e ardhur në këto anë kanë hasur në popullatën e vjetër vëndase të krishter me kulture urbane që " ishin shumë më të afër më grekët dhe të romanizuarit dalmatinas se me serbët e posa krishtenzuar". Në veri dhe lindje të Pejës, dhe të vet Perandorisë Bizantine, me siguri kanë inicuar Koncentrimi i fiseve të ndryshme dhe definitivisht vëndosja e fiseve sllave në ndërtimin e tempujve fetar, dhe si pasoj e okupimit të Pejës nga feudalet serbë të Nemanjiqëve në shek.XIIIu ndërtua edhe manastiri në bregun e majtë të Lumbardhit në Pejë.282

Gjatë mesjetës qyteti i Pejës u pushtua nga Perandoria Osmane në vitin 1462 dhe më vendosjen e administrates osmane i tërë rajoni gradualishtë pësoj ndryshime në stilin e jetesës , kështu të gjitha vlerat kulturore popullore shqiptare (arkitektura, skulptura, doke dhe zakonet dardane) të trashëguara nga antika, bizanti, mesjeta që e gjetën Osmanë, kohë pas kohe e plotësuan me ndërtime te reja.

[282] Monumentet kulturo-historike – Pejë .

Ardhja e turqve solli një influencë shumë të fortë të kulturës osmane-islame në jetën shpirtrore dhe kulturen materiale të kësaj treve duke filluar të ndërtojnë shumë objekte si: xhamitë, mesxhidet, teqetë, hamamet, mederesatë etj. Këto vepra të karakterit publik e arsimor si objekte të kultures islamo-shqiptare pos të tjerash janë bazë e trashigimisë kulturore dhe paraqesin një frymë dhe ide të materializuar, ato shprehin nivelin krijues, aftësitë tekniko-teknologjike, arkitetktuale, rrethanave historike, kulturore, ekonomike, sociale, fetare, ndertimi tyre janë dëshmi e ngritjeve dhe rënieve historike dhe shprehin origjinalitetin e cilësive të artisteve vendas.

Veprat monumentale (Xhamiat) të ndërtuara në shek.XV-XIX, si:
Çarshi Xhamia shek.XV.
Bajrakli Xhamia 1471 nga Fatih Sulltan Mehmet Hanit.
Hamam Xhamia dhe Hamani I Hazhi Beut, shek.XV.
Kushumli Xhamia shek,XVI.
DeftedarXhamia, shek,XVI.
Xhamia e Kuqe shek,XVIII, e shumë xhamia tjera.

Shtëpitë e vjetra të qytetit të Pejës:
Shtëpia e Karamuqollve.
Shtëpia e Perollve.
Konaku i Tahir beut (posta kryesore) 1950.
Shtëpia e Adem Muhaxherit.
Shtëpia e Pilinghurkajve.
Shtëpia e Kurtesh kelmendit.
Konaku i Qehajve, Kasapollve,etj.

Kullat si ndërtim arkitekturor:
Kulla e Zenel Beut (1854).
Kulla e Sherametit(1956)
Kulla e Goskajve(1974)
Kulla e Kurtulve.
Kulla e Gegajve.
Kulla e Tal Brahimit.
Kulla e Shaban Mehmetit etj

Urat e hershme:
Ura e gurit.
Ura e Çakorrit.
Ura në grykë të Rugovës.

Çarshia e vjetër ; Peja, qytet i vjetër piktoresk në anën perendimore të Kosovës në shek.III-IV bëhet një nga qytetet kryesore të Dardanisë pas Ulpianes, "Çarshia e vjetër" në Pejë është bërthama e qytetit më një sipëfaqe prej 15 ha, planimetri funksionale, qendër zejtaro-tregtare e themeluar që nga shek.XIV, me evulucion si konglomerat urbanistik se bashku me xhamitë dhe asamblet e banimit, prezanton eksponata autentike me vlera dhe specifika arkitektonike nacionale. Karakteristikë e saj ishte: grupimi i dyqaneve me organizim gjenial unitet konstruktiv-stilistik duke krijuar hapsirë dhe elemente funksionalo-atraktive.

Çarshia e Pejës është qëndër ekonomike e qytetit, si pjesë më e vjetër e tij ku është përqendruar prodhimi zejtar dhe shitja e mallrave dhe prodhimeve bujqësore. Në vitin 1970 shpallet si monument nën mbrijtje dhe si i tillë edhe trajtohët.283

[283] Monumentet kulturo-historike-Pejë.

Zona gjeografike turistike malore e Rugovës

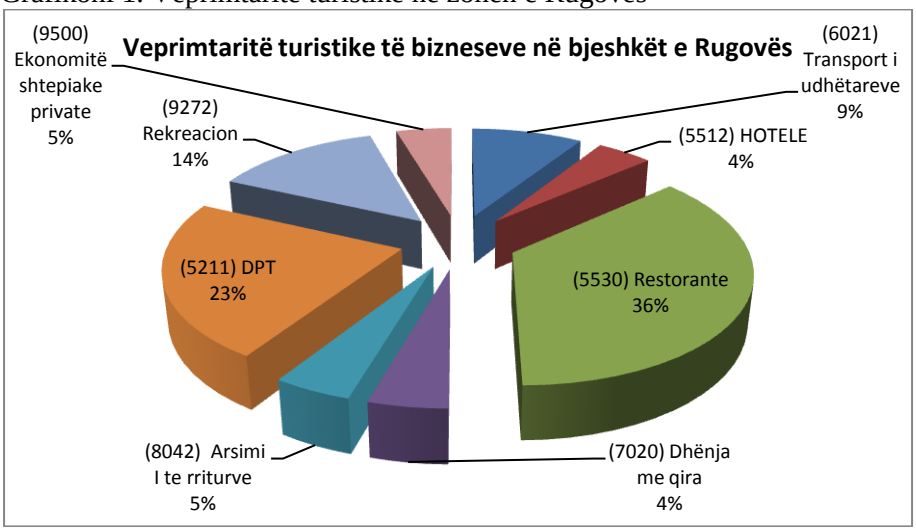
Sipas UNEP (Program i Mjedisit të Kombeve të Bashkuara) në një raport të vitit 2014 potencohet se "malet janë ekosisteme të cilat mbulojnë 24% të siperfaqës së tokës në botë". Ato shënojnë çdo kontinent dhe të gjitha llojet kryesore të ekosistemeve, nga shkretëtira tropikale deri të pjesa tjetër ndaj akullnajave polare".284

Malet paraqesin potencialin më të rëndesishëm për zhvillimin e turizmit në Rajonin e Pejës, dhe për atë të Dukagjinit dhe të Kosovës në përgjithësi. Malet e Bjeshkeve të Nemura (afër Pejës) bëjnë pjesë në vargmalin më të lartë të Kosovës, me një siperfaqe rreth 32.985.32 ha, një zonë me një potencial të madh turistik (Qëndra e Studimeve Turistike-Firence, 2007),285 me atrakcione turistike të rëndesishme për zhvillim me vargmale të që ofrojnë mundësi për zhvillim e ku lartësia mbidetare në këto Maja është Hajla (2403 m), Rusolia (2359 m), Shtedimi (2272 m) etj. "Vendndodhja në rrëzë të malit të Rugovës si dhe distanca e largët nga mjedisi industrial i Prishtinës, i ofron Pejës mundësi për turizëm. Mali u ofron vizitorëve mundësi për ecje, kapmpim ose peshkim. Nëpër fshatrat malore, objekte të vogla mund të ofrojnë strehim për turistët."286

ICIMOD-i, në vitin 2014 e ka identifikuar turizminsi një strategji premtuese duke siguruar njerëzit që jetojnë në vise malore do t'iu përshtaten jetës më të mirë, me opsionet alternative të jetesës, ndërtimi mbi pikat e forta të rajonit. 287

Numri i bizneseve që operojnë në bjeshkët e Rugovës sipas të dhënave zyrtare të Qendrës për Regjistrim të Bizneseve janë 46 biznese, ndërsa sipas ndarjes së veprimtarisë 22 biznese meren me veprimtari turistike, ku të dhënat paraqiten në vijim.

Grafikoni 1. Veprimtaritë turistike në zonën e Rugovës



Burimi: Zyra e Regjistrimit të Bizneseve Pejë, Dhjetor 2014

Pjesa me e madhe e ndërmarejve të regjistruara sipas grafikonit të mesipërm shihet qartë se pjesa me e madhe jane veprimtari hotelirele apo ndyshe në zhargonin ndërkombëtar njohet si HORECA (Hotel Restorant Caffe), disa merren me rekracion sidomos ne dhenien me qera.
Menaxhimi i udhëtimeve turistike në zonën e Rugovës

[284] **UNEP** - United Nations Environment Programme, Copyright © United Nations Environment Programme, 2007, Tourism and Mountains A Practical Guide to Managing the Environmental and Social Impacts of Mountain Tours: http://www.unep.org/
[285] QENDRA E STUDIMEVE TURISTIKE – Firence, Lugina e Rugovës, Draft per diskutimin e Planit Strategjik te Zhvillimit Turistik, Qershor 2007
[286] Studim për Planin e Zhvillimit Komunal - 2005
[287] **ICIMOD** - International Centre for Integrated Mountain Development: Nepal, 2008 http://www.icimod.org/?q=1252

Zhvillimi i turizmit duhet që të realizohet në atë mënyrë që të sigurojë shfrytezimin racional të resurseve të ambijentit jetësor, respektim të vlerave kulturore, afirmimit të vlerave autentike dhe specifike në fusha të caktuara, shpirtin dhe traditën të ndonjë vendi me vlerë për popullatën domicile, krahas kësaj duhet theksuar se faktorë qe ndikon dhe konrtibuon në proceset e zhvillimit te turizmit duhet përmendur janë :288
Cilësia jetësore,
Ekonomia e zhvilluar turistike,
Mbrojtja e ambientit jetësor dhe shfrytëzimi sa ma racional,
Bashkpunimi më organet lokale,
Minimizimi i efekteve negative, dhe
Plotesimi optimal i kërkesave turistike.

Roli kryesor për zhvillimin e turizmit, është organizimi i udhëtimeve turistike, që për synim kanë për të tërhequr konsumatorët, e sidomos ata të huaj. Para se gjithash së pari duhet mbojtur ambientin jetësor, gjegjsisht turistik, minimizimi i efekteve negative dhe plotësimin e ofërtes me lloj lloj produktesh dhe shërbimesh.

E, për të tërhequr konsumatorë/turist të rinjë, duhet bërë marketing, dhe marketignu duhet të përmbaje forma të ndryshme si: formën e çmimit për produkte të ndryshme, çmimi – për vendodhje, çmimi – për konsumatorë të ndryshëm, çmimi – për sezonë. 289

Teoria e marketingut në të kaluarën kryesisht e përqendruar në "në të shitur". Sot marketingu përqëndrohet në klientë, duke shtyrë kufijtë e veprimit, duke menduar në transaksione dhe ndërtimin e marrëdhënieve të mira me ta, të bëjnë të pa mundurën që broshurat, marketingu në mediume, faqet e internetit, tabelat udhëtreguese, etj, të kenë përshtypje më të mirë për destinacionin e caktuar dhe sa më shpesh që të jetë ë mundur të kënë vizitor. 290

Udhëtimi turistik është një produkt shumë kompleks (ofrohet në mënyra dhe me cilësi të ndryshme, mund të formohet në mënyra të ndryshme dhe për motive të ndryshme).

Faktorët përcaktues të udhëtimeve turistike : 291

- Distanca e udhëtimit,
- Kohëzgjatja e qëndrimit,
- Cilësia e udhëtimit (niveli i shërbimeve të udhëtimit dhe akomodimit),
- Koha e udhëtimit.

Udhëtimi turistik nëpër Bjeshkët e Nemura dhe maleve tjera që janë nëper Kosovë të ofron jo vetëm një klimë ideale, jo vetëm ajër të dëlirët, jo vetëm ujë të lehtë, të shëndetshëm dhe të ftohtë, por edhe gjithë lehtësirat e jetës. Me 8 deri 15 gjen njeriu në Rugovë një dhomë të mirë, të mobiluar bukur, me një ose dy shtretër. Ushqimi nuk është i shtrenjtë. Mishi i bagëtive shumë i shijshëm, vezë, pula dhe qumësht boll, gjalpi i parfumuar, djathi dhe zarzavate më mirë se kudo tjeter. Edhe dëfrimet nuk mungojnë.

Gjatë organizimit të udhëtimeve turistike nga organziata turistike kërkohet që t'i motivojë turistët, duhet të këtë motivim ta shpreh në ofertë, si motive tradicionale, kombëtare, dashurie, kulturore etj. E që me ndryshimin e kohes ka ndryshuar edhe forma e motivimit. Kështu që shihet nga kompania që vepron në Shqipëri, së pari në Kosovë edhe pastaj në tërë Ballkanin dhe Evropën aranzhon udhetime turistike.

[288] Vita Koja, Klodina Gorica, Marketingu i turizmt, Tiranë 2007, faqe. 7
[289] Evans, N. Campbell, D. & Stonehouse, G.(2003). Strategic Management for Travel and Tourism
[290] Kotler, Filip; Keler Lejn Kevin; (2013). Baza për marketing menaxhment,
[291] Revista shkencore Administrim Biznesi, Pejë 2010

Kjo veprimtari siç është turizmi, e cila ka një ndikim të madh në shumë sfera ekonomike qoftë në mënyrë direkte apo indirekte duhet të zhvillohet si proces i organizuar jashtëzakonisht mirë, të menaxhohet dhe koordinohet në mënyrë profesionale duke i shfrytëzuar reciprokisht burimet (resurset) që i posedon qofshin ato natyrore apo humane (njerëzore) në mënyrë që ti përballojmë trendeve të konkurences apo të paktën të jemi pjesë e tregut ndërkombëtar.

Për zhvillimin dhe menaxhimin e turizmit patjetër duhet të bazohet në funksionet kryesore të menaxhimit:
Organizimi,
Kuadri,
Planifikimi,
Udheheqja, dhe
Kontrolli.292

Menaxhimi i ofrimit dhe shitjes e shërbimeve turistike – kapaciteteve në disa lloje te objekteve hoteliere, për vendosje akomodim mund të jetë organizim i punës, meny e punës llojin dhe strukturën e shërbimit, kategorinë, kapacitetin, pozitën e objektit hotelier. Duhet të angazhohen të gjithë për të menaxhuar një gjë të tillë.

Organizimi i ndërmarrjeve turistike gjatë udhëtimeve turistike

Burimet njerëzore, paraqesin elementet bartës për ekzistencën dhe funksionimin normal të një biznesi. Aktiviteti i drejtimit të personelit është mjaft kompleks, ku implikohen operacionet me karakter administrativ, organizativ, ekonomik etj. për dallim nga sektorët e tjerë. Punësimi në sektorin e turizmit mund të jetë sezonal ose i përhershëm. 293

Te punësimi sezonal stafi i angazhuar mund të jetë më pak i kualifikuar krahas punës së përhershme. Në turizmin kosovar mungesa e të dhënave të statistikës turistike për të punësuarit, nivelin e përgatitjes profesionale pamundësojnë që të bëhet një analizë më e hollësishme e burimeve njerëzore në këtë sektor. Njëri nga faktorët më të rëndësishëm, për periudhën vijuese për zhvillimin e turizmit është përgatitja e kuadrit profesional turistik.

Veprimtaria e njësive punonjësve në hotele është ofrimi i shërbimeve të akomodimit, dhënien e dhomave dhe vendosjes së klientëve, në dhoma dhe apartamente shtretër ndihmës etj. Çdo organizatë punonjëse hoteliere apo njësi punonjëse qoftë edhe kapaciteti më i vogël duhet të bëjë sistematizimin e vendeve të punës, përkatësisht ndarjen e punëve nëpër njësi si dhe të përcaktosh çdo vende pune, detyrat e punës obligimet dhe përgjegjësit, kompetencat si dhe hierarkinë udhëheqëse dhe punë drejtuese me një organizim të punës profesionale e bashkëkohore me qëllim të rritjes së produktivitetit të punës cilësisë së shërbimit. Kjo ndarje e punëve siguron edhe specializimin e punëtorëve rritë rezultat e punës – profitin.

Hotelet janë objekte të cilat ofrojnë shërbimet e akomoditetit, shërbimit të ushqimit pijeve si dhe shërbime tjera plotësuese. Këto objekte ndërtohen në qendra urbane sidhe në zonat turistike. Hotelet duhet ti plotësojnë këto kritere për kategorizimin me yje.

Gjatë udhëtimeve turistike nëpër hotele të ndryshme, Menaxheri që menaxhojnë udhëtimet turistike duhet të këtë parasysh për të qenë një hotel me standarde të larta ai duhet ti plotësojë këto kritere:

[292] Armand Krasniqi, Fatos Ukaj. MENAXHIMI I ORGANIZATAVE DHE DESTINACIONEVE TURISTIKE, Pejë 2009, faqe, 60-70
[293] Armand Krasniqi, Fatos Ukaj. MENAXHIMI I ORGANIZATAVE DHE DESTINACIONEVE TURISTIKE, Pejë 2009, faqe, 60-70

Çdo hotel duhet të ketë recepsionin dhe hollin e pritjes. Varësisht nga madhësia e objektit hotelier. Të gjitha shërbimet e nevojshme në recepsion klientëve duhet tu ofrohet rezervimet, çlajmërimet pagesat dhe informatat shtesë që janë të nevojshme për ta.

Në recepsion duhet të gjendet lista e çmimeve dhe kasaforta për klientë. Holli i pritjes duhet të jetë i pajisur me mobilieri. Holli duhet të ketë arkitekturë dhe dekor të duhur i cili ofron shërbime të ndryshme për klientët. Holli duhet të ketë hapësirë të mjaftueshme që duhet ti përgjigjet kategorisë së hotelit.

Rezervat shtazore në zonën e Rugovës

Peja është e pasur me kushte të cilat ofrojnë mundësi për zhvillimin e turizmit të gjuetisë. Rezervat më të njohura të Fondit të shtazëve janë në Rezervatin e Rusolisë si: Gjahu i lartë dhe Gjahu i ultë.
- Në Gjahun e lartë bëjnë pjesë: Ariu,Kaprolli,Derri, Dhelpra, Cjapi i egër, Rrëqebulli, Kunalja e artë, Kunalja e bardhë etj.
- Gjahu i ultë : Lepuri , Thëllëza, Fazani, Pula e egër, Gjeli i pyjeve etj.

Kushtet atmosferike dhe hidrografia

Duke u bazuar në terrenin në të cilin shtrihet Peja ka resurse të mëdha tërheqëse dhe interesante turistike të cilat mund ti kënaqin edhe adhuruesit e natyrës së egër të paprekur, por edhe adhuruesit e bukurive idilike fshatare , si dhe hulumtuesit e interesuar për gjurmë të së kaluarës.

Duke u shtrirë në mes të rrjedhës së lumenjve Drini i bardhë dhe Lumëbardhi, Peja ofron një spektër mundësish për peshkatari të llojeve fisnike të peshqve të ujërave të ëmbla, ndërsa adhuruesve të aventurave të sporteve dimërore dhe verore do t'u ndalet fryma nga bukuritë e kanjonëve, ujëvarave dhe terreneve të përshtatshme për skijim. Familjet me fëmijë dhe të hareshmit të padurueshëm për shijimin e shëtisë në flladin natyror do të gjejnë pushim ideal në brigjet e freskëta të lumenjve në ditët e nxehta të verës.

Si do që të jetë regjioni i Rugovës mbetet një vend me klimë të përshtatshme për verime , në përgjithësi me verë të freskët ku temperaturat shkojnë deri në 17.2 gradë Celsius e ndonjëherë deri 20 e 25 gradë C që favorizon turizmin shtëpiak, të organizuar stacionar, shërues, dhe sportivo-rekreativ si, ngjitje dhe marshim, shëtitje, vizita monumenteve kulturo - historike lëshim me parashuta, notim në liqenin e Liqenatit dhe lundrim në lumë. Ndërsa dimri i ftohtë dhe i përshtatshëm favorizon zhvillimin e turizmit dimëror, ski, ngjitje dhe atë stacionar.

Para se të hysh në pikën që karakterizon këtë grykë si kanion tipik në kilometrin e 6-të ndodhet ujëvara e gjatë 25 m që buron në shkëmb nga ana jugore e derdhet në lumë. Ky kanjon i krijuar nga gërryerja e ujit dhe largimi i akullnajës së Pejës, është tipik dhe i thellë ku lumi diku edhe nuk shihet nga ngushtimi dhe ngritja e shkëmbinjve të lartë vertikal të pjerrët që të ngërthejnë brenda vetes aq sa mund të frikësohesh ose krekosesh sepse majat që ndërtojnë formacionet e shkëmbinjve gëlqeror e konglomerateve me ngjyrë hiri, në ngritje vertikale, radhë të mbuluar me bimë të ulta dhe Pishën e shkëmbit, duke u gjet i rrethuar prej tyre mund të shohësh vetëm qiellin e kaltër.

Kanjoni i Rugovës ose siç quhet "Gryka e Rugovës" duke filluar 3 km larg Pejës deri në kilometrin e 9-të ku ngadalë fillon të hapet, herë herë vije e ngushtohet , duke krijuar një lugajë , paksa më të butë në fundin e së cilës rrjedhë rrëmbyeshëm lumi Lumbardhë duke sjellë me vete rërën e gërryer, shushurimën dhe freskinë e për tu ngushtuar prapë në një grykë të ngushtë përgjatë rrugës në perëndim të regjionit që të shpie në Qafë të Çakorrit dhe në Plavë.

Në livadhet e maleve përreth në pranverë lulëzojnë lule me të llojllojshme të bjeshkës duke i dhënë pejsazhit bukuri të jashtëzakonshme atraktive, kurse hapësirës aromë të posaçme dhe freskinë e natyrës së pastër . Përjetim të jashtëzakonshëm vizuel të bukurisë natyrore këto male ofrojnë në kohën

e vjeshtës, në kohen e krijimit të pejsazhit kalimtar bjeshkatar kur tërë territori derdhet në spektrin e ngjyrave më të llojllojshme. Përjetim më të madh ofrojnë pamjet në pranverën e vonshme kur në viset e ulta gufon vegjetacioni bimor duke mbuluar tërë territorin më ngjyrë të gjelbër, kurse majet e larta të Bjeshkëve të Nemuna ende janë me mbulesë të trashë të borës.294.

PËRFUNDIMI

Për ta menaxhuar sa ma mirë dhe suksesshem turizmin atëherë patjetër se duhet të ju përmbahemi shtyllave kryesore të menaxhimit pa të cilat nuk ka mundësi të funksionoj as ndërmarrja ma e vogël familjare e lerë më një lëmi me karakter global si turizmi i cili në kohën moderne po merr përmasa globale ku po thyen çdo barrierë kufinjësh, race, gjinie dhe nacionaliteti, ku shumica e vendeve në mbarë globin po i mbush arkat e shtetit përmes vjeljes së tatimeve në saje të zhvillimit të hovshëm dhe të sukesesshem të turizmit.

Duke e ditur se zhvillimi i turizmit po merr hov me karakter global, mbetet tek qeveritë qendrore e ato komunale dhe menaxhmenti i ndërmarrjeve saj qe në të ardhmen të hartojnë programe profesionale të menaxhimit të udhëtimeve turistike dhe të qesin ne pah një marketing dinjitoz që terheq sa më shumë turistë.

Qarkullimet turistike lokale, individuale, familjare e grupore me qëllim pushimi e rekreacioni bëhen sidomos gjatë verës për t'u freskuar pranë bazeneve, lumenjëve, liqeneve, ose gjatë stinës së dimrit në qendrat e skijimit si në Brezovicë ashtu edhe në Rugovë etj. Në periudhën pas luftës në Kosovë është ndërtuar numër i madh i pishinave, të cilat tërheqin numër të madh të klientelës së re turistike.

Në këtë punim diplome mungesa e statistikës turistike pamundësojnë një pasqyrim më të hollësishëm të zhvillimeve në sektorin e turizmit e posaçerisht të udhetimeve turistike. Për të zbutur sadopak këtë zbrastirë të mungesës së të dhënave për statistikë turistike kemi pasqyruar të dhënat e për regjistrimin e bizneseve turistike të sektorit privat për periudhën kohore 2005-2011 gjithashtu të dhëna të përgjithshme të pasurisë së Kosovës, e posaçerisht e Komunës së Pejës.

[294] www.peja-komuna.org

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PHD (C) ARDIAN BERISHA – MJEDISI I BIZNESIT SI FAKTOR I ZHVILLIMIT TË BIZNESEVE NË KOSOVË

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Abstrakti

Kujdesi për një infrastrukturë më cilësore kërkon edhe ndërtimin e një mjedisi që ofron mundësi për një nxitje më të madhe të ndërmarrësisë dhe nxjerrjen e masave mbështetëse që do të mundësojnë një zhvillim më të shpejtë të këtij procesi. Një faktor i rëndësishëm i zhvillimit ekonomik në botë por edhe në Kosovë janë ndërmarrjet e vogla dhe të mesme në të gjitha format e organizimit të saj. Zhvillimi i NVM-ve në Kosovë vë në pah nevojën për përkujdesje më të madhe jo vetëm nëpërmjet ndryshimit të legjislacionit por edhe me miratimin e një sërë masash nxitëse që do të krijonin një mjedis më të favorshëm për biznes.
Në kuadër të krijimit të mjedisit të favorshëm për zhvillimin e ekonomisë, është e nevojshme pjesëmarrja e administratës qendore dhe lokale, odave ekonomike, qendrave të biznesit dhe inkubatorëve, e asociacioneve ekonomike, ndërmarrësve etj., me qëllim që të analizohen mundësitë dhe kufizimet e faktorëve të brendshëm dhe të jashtëm në krijimin e mjedisit të favorshëm për zhvillimin e ndërmarrjeve të vogla dhe të mesme dhe ekonomisë në përgjithësi.
Mjedisin e përshkruar që përbën tërësinë e faktorëve në të cilin veprojnë NVM-të të cilit duhet ti përshtaten ndërmarrësit do të paraqesim në vijim të punimit.

Fjalët Kyçe: Ndermarrje,Zhvillim,Mjedisi,Organizim,Faktorë

Hyrja

Nëse punëtorët në një organizatë janë të aftë dhe të përkushtuar, atëherë kjo mund të ngritë biznesin në shkallën më të lartë të mundshme, si dhe në qoftë se drejtorët e ndonjë biznesi kanë vizion të gjerë dhe të menduarit krijues, atëherë ata mund të parashikojnë ndryshimin i cili do të ndodhë në mjedis dhe mund të hartojnë politika të përshtatshme me kohë.
Nëse kompania është e mirë në hulumtim dhe në aktivitete e marketingut, atëherë ajo mund të ketë një avantazh ndaj konkurentëve dhe të ketë pjesëmarrje më të madhe në treg e poashtu nëse biznesi ka burime të mjaftushme financiare, ai do të ketë mundësi të shpenzojë më shumë në kërkimet (hulumtimet) e aktiviteteve promovues.
Duke pasur parasysh rëndësinë e madhe që ka aktiviteti afarist që zhvillojnë shoqëritë tregtare, mëndojmë se në krijimin e një ndërmarrje të suksesshme përveç niveleve menaxheriale kërkohet një lidership vizionar dhe i aftë për t'ju përshtatur nevojave të reja të ekonomisë tregute.

Mjedisi i brendshëm i biznesit

Mjedisi i brendshëm përfshin faktorët e brendshëm të biznesit të cilët mund të kontrollohen nga ta dhe i referohet mjedisit brenda organizatës. Ky mjedis përfshin: objektivat e biznesit, politikat menaxheriale, departamentet e ndryshme të organizatave, menaxhmentin dhe të punësuarit në organizatë, marrëdhëniet e menaxherit të punës, imazhet e korporatave, resurset fizike duke perfshirë infrastrukturen që kanë në dispozicion bizneset, vizionet dhe mendimet e top menaxhmentit, hulumtimin dhe zhvillimin e aktiviteteve të organizatës, kushtet e punës në organizatë, moralin dhe angazhimin e resurseve humane etj.Poashtu, për mjedisin e brendshëm të firmës, një element tjetër me rëndësi edhe Swot Analiza, e cila përfshinë: Forcat apo përparësitë (Strength), Dobësitë (Weaknesses) Mundësitë (Opportunities) dhe Kërcënimet (Threats). Një studim i mirë i kësaj analize nga ana e bizneseve do të jetë një përparësi krahas atyre kompanive të cilat nuk u kushtojnë aq rëndësi apo e neglizhojnë hartimin e një strategjie të tillë, gjë që mund të jetë një bumerang për to.Shumë studime,

qofshin ato teorike apo empirike, koncentrohen kryesisht në nivelin e zhvillimit menaxherial si dhe në resurset e kufizuara si pengesa të brendshme kryesore në aktivitetin e NVM-ve. Në mënyrë më specifike, ato koncentrohen në problemet që dalin nga struktura organizative, shkalla e edukimit dhe trajnimit të personelit, përcaktimi dhe qasja menaxheriale për eksport, përvoja menaxheriale, etj.(1 T.R.Jain, Mukesh Trehan, Ranju Trehan, "Business Environment" New Delhi 2009, fq. 182-188.
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Tabela 1: Pengesat specifike për firmën (shpërndarja e përgjigjeve në %)

Lloji i pengesës/Rangu	1	2	3	4	5
Aftësitë dhe përvojat e menaxherëve	1.8	6.4	11.0	14.7	66.1
Mungesa e informatave	17.3	17.3	21.8	10.0	33.6
Vështirësitë në gjetjen e partnerëve afaristë	9.1	11.8	30.9	9.1	39.1
Shpenzimet e prodhimit	10.9	13.6	20.0	10.0	45.5
Njohja e gjuhëve të huaja	10.0	10.0	10.9	9.1	60.0

Burimi: Anketa e "Riinvest" me 110 eksportues kosovarë.

Rezultatet nga anketa demonstrojnë se për NVM-të kosovarë njohuritë menaxheriale dhe eksperienca e tyre nuk paraqesin problem të rëndësishëm për zgjerimin e tyre në treg. Kjo pengesë është klasifikuar si pengesa më me pak ndikim në aktivitetet e kompanisë nga 14 pengesat e specifikuara. Mesatarisht kjo pengesë është ranguar më tepër se 4 me variancë dhe devijim standard relativisht të ulët. Andaj, në përgjithësi, sipas të gjithë indikatorëve statistikor, kjo pengesë konsiderohet si shumë e ulët apo pa kurrfarë ndikimi në eksport. Ngjashëm, në tabelën 1 shihet se pjesa më e madhe e përgjigjeve janë të grumbulluara në rangun 1 dhe 2.
Nga ajo që u tha më lart, siç shihet, çështja e sigurimit të informatave mund të konceptohet nga këndi i brendshëm i firmës si dhe nga aspekti eksternal. Ndërmarrjet bëjnë ç'është e mundur të sigurojnë sa më tepër informacione, meqenëse rëndësia e tyre, siç dihet, është kruciale. Në anën tjetër, nga aspekti institucional informata nuk iu ofrohet në sasi të mjaftueshme palëve të interesuara. Duke u nisur nga këto dy kënde, mund të konkludohet se informata është problem ekstern i kompanisë, janë institucionet qeveritare, OEK-u si dhe shoqatat afariste ato të cilat nuk e bëjnë punën e tyre si duhet. Studimet e bëra në vendet tjera kanë treguar se mungesa e informatave afariste është kritike për performansën e eksportit. Për shembull, Kostecki ka demonstruar se "njohja e tregjeve të huaja është problem kyç për ndërmarrjet polake". Edhe këta të fundit barrën më të madhe të problemit e vënë në institucionet të cilat duhet të ofrojnë informacione (posaçërisht në mosefikasitetin e tyre), që është pasojë e kufizimit të madh buxhetor si dhe burokracisë tejet të lartë. Andaj, edhe çështjen e informatave në rastin e Kosovës duhet trajtuar në kategorinë e problemeve të nxitura nga mosfunksionimi i mirë i institucioneve si dhe politikat joadekuate. Sipas hulumtimeve të bëra nga Ministria e Tregtisë dhe Industrisë rreth pengesave me të cilat ballafaqohen ndërmarrësit kosovar për rritjen e ndërmarrjet e vogla dhe të mesme ka dalë se pikërisht problemet me menaxhimin e resurseve njerëzore dhe teknologjike janë pengesat kryesore në këtë drejtim.Si pengesa më të shpeshta që paraqiten si barrierë për përmirësimin e kualitetit të produkteve dhe shërbimeve janë pamundësia e përcjelljes së risive teknologjike 38.5%, mungesa e personelit të kualifikuar 21.2%, dhe faktorët e tjerë 40.3%. Një radhitje përafërsisht të njëjtë të faktorëve që paraqiten si pengesë për rritjen e kualitetit të produkteve dhe shërbimeve e hasim edhe sipas veprimtarive ekonomike.(MTI, "Strategjia e industrisë së Kosovës 2009-2013", Dhjetor 2009, fq. 23.Kostecki, M. M., Nowakowski, M. K. & Walkowicz, "Brengat e NVM-ve në Poloni sa i përket eksportit", Journal of East-West Business, Vol. 1, No. 4, 1996, fq. 95-115)

Tabela 2. Pengesat/barrierat në arritjen e kualitetit të produkteve apo shërbimeve

Pengesat në kualitetin e produktit/shërbimit	Nr. i NVM-ve	%	Prodhuese	%	Tregtare	%	Shërbyese	%
Mungesa e	22	21.2	4	14.3	6	17.6	12	28.6

personelit të kualifikuar								
Mospërcjellja e teknologjisë	40	38.5	10	35.7	16	47.1	14	33.3
Të tjera	42	40.3	14	50.0	12	35.3	16	38.1
Totali	104	100	28	100	34	100	42	100

Burimi: Të dhënat nga anketa e MTI-së, Departamenti i Zhvillimit të Sektorit Privat (2009)

Mjedisi i jashtëm

Zhvillimi i aktivitetit të ndërmarrjeve të vogla dhe të mesme dhe marrja e vendimeve menaxheriale realizohen nën trysninë e vazhdueshme të një spektri të gjërë forcash dhe faktorësh të mjedisit të jashtëm, të cilët kanë një influencë relativisht të madhe në mbijetesen dhe përspektivën e zhvillimit të ardhshëm të NVM-ve në. Faktorët e mjedisit të jashtëm janë ata faktorë që veprojnë jashtë kufijve të një ndërmarrjeje dhe që ndikojnë mbi operacionet e saj.Në spektrin e faktorëve të mjedisit dallohen dy grupe të mëdha, të cilat në mjaft raste veprojnë në mënyrë të ndërthurur midis tyre. Këto dy grupe janë: makrofaktorët e mjedisit dhe mikrofaktorët e mjedisit.
Makrofaktorët e mjedisit përfshijnë atë segment të mjedisit të jashtëm që pasqyron kushtet dhe tendencat e shoqërisë brenda së cilës operon ndërmarrja. Në këtë grup përfshihen një sërë faktorësh, ku më të rëndësishmit do ti përmendim në këtë punim dhe janë: faktorët politiko-ligjor, faktorët ekonomik, teknologjik, social dhe ndërkombëtar. Në mënyrë skematike veprimi i këtyre makrofaktorëve mbi ndërmarrjen do të paraqitej në këtë mënyrë: (Shyqyri Llaci, "Manaxhimi", Tiranë 2002, fq. 47 Shyqyri Llaci, "Menaxhimi", Tiranë 2006, fq. 35.)

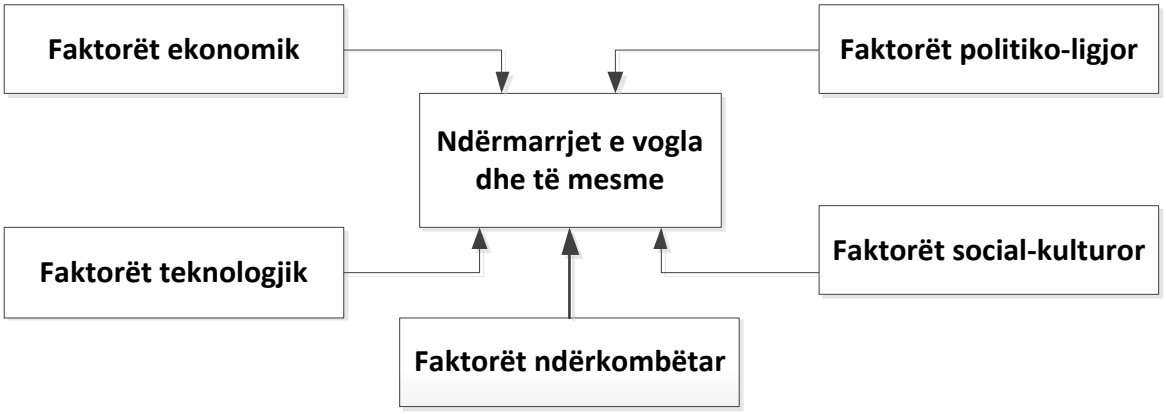

Figura 1. Veprimi i makrofaktorëve mbi ndërmarrjet e vogla dhe të mesme.

Faktorët ekonomik
Faktorët ekonomikë zakonisht manifestohen përmes ndryshimeve në treg, rritjes reale ekonomike, normave të interesit, konkurrencës, papunësisë etj. Rritja reale ekonomike ka një rol të rëndësishëm në përcaktimin e madhësisë për mallra dhe shërbime. Zakonisht kur shënohet rritje ekonomike, rriten të gjitha aktivitetet ekonomike që përfshin edhe rritjen e fuqisë blerëse (njëra nga 5 forcat e Porterit) dhe në anën tjetër ndikon në rritjen e punësimit. Në rastet kur kemi recension ekonomik, atëherë kemi edhe rënie të kërkesës për mallra dhe shërbime, kështu që si rezultat i kësaj shumë biznese ballafaqohen me likuidim përkatësisht falimentim.
Sa i përket faktorëve ekonomik që determinojnë zhvillimin e NVM-ve, Kosova si një vend postkonfliktuoz dhe me një trashëgimi historike të pafavorshme në aspektin e zhvillimit, ka një ambient të pafavorshëm ekonomik i cili karakterizohet me shpërpjesëtime të ndjeshme në konfiguracionin e saj makroekonomik, GNP-ja tejkalon BPV-në për rreth 21%, eksporti mbulon importin vetëm rreth 4-5%, norma e papunësisë arrin midis 39-49%, ndërsa Buxheti i Kosovës (rreth 40% të BPV-së), është i servisuar tërësisht nga taksapaguesit kosovarë. Profili i strukturës ekonomike karakterizohet me pjesëmarrjen e lartë të sektorit të shërbimeve (60%) dhe bujqësisë (25%) në BPV,

për shkak të procesit të dezindustrializuar në vitet e nëntëdhjeta. Tashti, pjesëmarrja e industrisë në BPV është vetëm 15%.
Ekonomia e Kosovës gjatë vitit 2011 vazhdoi të shënojë normë pozitive të rritjes ekonomike përkundër sfidave të shkaktuara nga luhatjet në ekonominë globale dhe sidomos në atë evropiane. Aktiviteti ekonomik në vend karakterizohet me stabilitet kur merren parasysh burimet kryesore të financimit shumica e të cilave kanë treguar performancë të mirë. Sidoqoftë, ngadalësimi i aktivitetit ekonomik në disa prej vendeve të eurozonës rezultoi në ngadalësim të eksporteve të mallrave, rritja e të cilave gjatë vitit 2011 ishte vetëm 6.3 përqind.(Isa Mustafa, "Udhëheqja, efiqenca dhe efektiviteti", Prishtinë 2007, fq. 42.
RIINVEST "Profili socio – ekonomik i Kosovës dhe sfidat e zhvillimit", Prishtinë, Prill 2005).

Faktorët politiko-ligjor
Veprimet dhe politikat e institucioneve politike kanë një ndikim të madh në mënyrën në të cilën operojnë bizneset. Të gjitha bizneset duhet të veprojnë brenda kushteve ligjore dhe rregullative të cilat janë të përcaktuara nga shteti në të cilin ndërmarrja zhvillon aktivitetin.Institucionet e Kosovës që nga shpallja e Pavarësisë në 2008 kanë bërë një reformë e madhe tatimore dhe është bërë riorganizimi i arkëtimit të TVSH-së përmes arkave fiskale, me qëllim të uljes së shkallës së informalitetit në sektorin e NVM-ve dhe luftimit të konkurrencës jolojale dhe për të provuar përmirësimin e marrëdhënieve ndërmjet komunitetit të biznesit dhe shtetit. Janë bërë disa përmirësime në çështjet ligjore dhe administrative dhe tani NVM-të mund tëregjistrohen përmes pilot Qendrave Komunale të Biznesit (QKB) të themeluara me përkrahjen e Bankës Botërore. Mbetet të shihet nëse një përpjekje e përbashkët ndërmjet QK-së dhe partnerëve ndërkombëtar do të rezultojë me përmirësim të qasjes së mallrave dhe shërbimeve të Kosovës në tregjet ndërkombëtare dhe drejtë anëtarësimit në Organizatën Botërore të Tregtisë (OBT). Në Memorandumin Ekonomik të Bankës Botërore për Vendin, janë propozuar pesë rekomandime kyçe të politikave për Kosovën. Vazhdimi i përpjekjeve për përforcimin e sundimit të ligjit dhe posaçërisht për luftimin e korrupsionit dhe krimit; Implementimi i masave për shkurtimin e kohës dhe kostove për fillimin e biznesit, posaçërisht në nivel komunal; Përvijimi i procedurave dhe përforcimi i kapacitetit administrativ që ka të bëj me regjimin rregullativ të të bërit biznes, posaçërisht sa i përket licencimit të bizneseve dhe lejeve të ndërtimit; Përforcimi i sistemit gjyqësor për përmirësimin e përmbarimit të kontratave; dhe, Implementimi i shtyllave kyçe të strategjisë për energji. Të gjitha këto kontribuojnë përmirësimin e mjedisit të biznesit.

Faktorët social-kulturor
Mjedisi social-kulturor përbëhet nga normat, zakonet, qëndrimet dhe sjellja që janë karakteristika e një grupi njerëzish apo e një shoqërie të caktuar. Këta elementë variojnë për njerëz që jetojnë në vende apo zona të ndryshme gjeografike, për njerëz të varfër dhe të pasur, për punëtorët e punëdhënësit, për të arsimuarit dhe për ata me arsSim të ulët etj. (1 Qeveria e Kosovës, "Strategjia e zhvillimit të NVM-ve në Kosovë 2012-2016 me vizion 2020", Prishtinë, Korrik 2011.
Campbell Daivid dhe Craig, Tom; " Organisations and the Business Environment", Oksford 2005, fq. 123.
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Shyqyri Llaci, "Manaxhimi", Alb Paper, Tiranë 2002, fq. 49).
Gjithashtu, secili ndërmarrës i mirë, duhet të di ti përshtaten faktorëve kulturorë, në mënyrë mënyrë që të realizoj afarizmin në mënyrën më të mirë. Qëndrimet jokorrekte ndaj një kulture mund të bëhen pengesë e madhe në realizimin e procesit të punës dhe arritjen e objektivave të biznesit.

Faktorët teknologjik
Ne jetojmë në një epokë tepër konkurruese. Vetëm nëpërmjet novacioneve teknologjike, NVM-të mund të krijojnë produkte dhe shërbime të reja dhe të përmirësojnë ato ekzistuese, që të mbeten konkurruese. Gjithashtu teknologjia siguron një bazë, që ndërmarrja të arrij produktivitetin dhe cilësinë që i duhet asaj për të fituar një avantazh konkurrues. Avancimet në teknologjinë e kompjuterëve i kanë ndihmuar NVM-të për të nxjerr avantazhe nga shfrytëzimi i informacionit.Problemi me aplikimin e inovacioneve në NVM është me rëndësi të madhe për

Kosovën. Sipas të dhënave të fondacioneve të ndryshme, vendi ynë zë vendin e fundit në Evropë për nga numri i ndërmarrjeve inovative dhe për nga niveli i bashkëpunimit të firmave të ngjashme me kolegë të tyre evropian. Vetëm ekonomia, bazuar mbi dijet, pohojnë ekspertët, do të garantojë rritjen ekonomike dhe do të përmirësojë standardin e jetesës së kosovarëve. Inovacionet janë në qendrën e politikës së BE dhe të të gjitha shteteve të mëdha dhe organizatave ekonomike në botë.

Faktorët ndërkombëtar

Zhvillimet ndërkombëtare kanë ndikim jo të vogël mbi mundësitë e NVM-ve kosovare për të zhvilluar biznes jashtë vendit. Për firmat kosovare integrimet kërkojnë vështrime nga afër të zhvillimeve në tregjet ndërkombëtare qoftë përmes pjesëmarrjes nëpër panaire, seminare, përmes themelimit të sektorëve të vecantë enkas për kërkime të tilla apo duke bashkëpunuar me organizata të specializuara për marrëdhënie ekonomike ndërkombëtare, si dhe gjetja e mundësive për të penetruar në to. Ndryshimet në rregullativat ligjore ofrojnë mundësi për biznes. (Shyqyri Llaci, "Manaxhimi", Alb Paper, Tiranë 2002, fq. 51).

Konkluzione

Niveli i ekonomisë kosovare, që shpreson për krah më të lirë të punës, po sos mundësitë e veta, prandaj është i nevojshëm bashkëveprim midis institucioneve, organizatave shkencore dhe biznesit, për të gjetur mekanizma për rritje, të bazuar mbi inovacionet. Krijimi i mundësive të reja për zhvillimin teknologjik është rruga drejt prosperitetit, dhe kushtet e nevojshme, të cilët do t'u japin shtytje zhvillimit të inovacioneve dhe depërtimit të tyre në ekonomi janë sigurimi i resurseve financiare dhe njerëzore. Ne në Kosovë duhet të fillojmë të punojmë për zgjidhjen e këtij problemi. Më e rëndësishme, është të ndërtojmë një klimë të tillë, e cila të favorizojë zhvillimin e inovacioneve.
Nga ana tjetër, ato duhet të jenë në dijeni të gjendjes reale të konkurrentëve me qëllim që të zbatojnë strategji të veprimit në fusha si: ofertë e produkteve ose e shërbimeve me çmim më të lirë, ofrim i produkteve diferencuese, ofrim i shërbimeve me efiçencë (p.sh. shitja përmes internetit), lojërat shpërblyese etj.

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PHD. (C) BESARTA VLADI, PHD. (C) ILIR REXHEPI, DORINA PLAKU – MENAXHIMI I TALENTEVE SI KUSHT PËR SUKSESIN AFATGJATË TË ORGANIZATËS

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Abstrakti

Sfidat e sotme të menaxhimit të talenteve janë shumë të ndryshme nga sfidat me të cilat janë përballur bizneset vite më parë. Bizneset po përballen në mënyrë të ndjeshme me konkurrencen për të mbajtur një pjesë të konsiderueshme të tregut. Shumë kompani kanë arritur të kuptojnë se për të realizuar këtë qellim, ju duhet të investojnë shumë dukshëm në burimet njerëzore të organizatës së tyre. Pjesa më e madhe e menaxherëve tashme e kanë kuptuar se investimi tek punonjësit e tyre arrin ta bëjnë kompaninë të suksesshme. Menaxhimi i talenteve është bërë një komponent qendror i strategjive të Burimeve Njerëzore në një organizatë. Talentet padyshim që duhet të zhvillohen dhe të përvetësohen brenda një organizate. "Rëndësia e talenteve dhe menaxhimi i talenteve ka qënë prioritet në ciklin e jetës së aktivitetëve të Burimeve Njerëzore (Dhanabhankyam & Kokilambal, 2014).
Menaxhimi i mirë i talenteve ofron një siguri dhe vetëbesim për organizatën. Duke patur punonjës të talentuar, organizata krijon avantazh konkurruesë (Lawler, 2009). Strategjitë e talentetve janë të rëndësishme për çdo organizatë, pavarësisht sa fitimprurëse janë ato. Në këtë kontekst, pyetja që synojmë t'i japim përgjigje në këtë punim është: Cilat janë strategjitë më të suksshme të menaxhimit të talenteve në kompanitë e ndryshme ndërkombëtare dhe sa të rëndësishme janë këto strategji për tu implementuar në kompanitë shqiptare? Rezultatet e kësaj analize do të na ndihmojnë të kuptojmë më mirë rëndësinë që ka menaxhimit i talentëve brenda një organizate dhe përfitimet që sjell në përformancën e organizatës në epoken e globalizmit.

Fjalë kyçe: ekonomia e dijes, menaxhimi i talenteve, zhvillimi i qendrueshëm

Hyrje

Menaxhimi i talenteve 'është proçesi i rekrutimit, vlerësimit, menaxhimit dhe mirëmbajtjës së njerëzve më të rëndësishëm në organizatë' (Khatri, 2010). Procesi i menaxhimit të talenteve është bërë një nga çështjet më thelbësore të HR në një organizatë dhe të trajnimit të tyre (Bersin, 2006). Rëndësia e menaxhimit të talenteve duket qartë që nga mënyra se si kanë evoluar Burimet Njerëzore brenda një organizate. Në vitet 1970-1980 ekzistonte grupi i ashtuaquajtur "Departamenti i Personelit", i cili merrej me punësimin, pagat, sigurimin e personelit etj. Më pas në vitet 1980-1990 organizatat kuptuan se roli i Burimeve Njerëzore ishtë shumë herë më i rëndësishëm dhe mori emërtimin "Burimet Njerëzore Strategjike" dhe roli i këtij grupi përfshinte: rekrutimin e njerëzve të duhur, trajnimin e tyre, organizimin e strukturave, ekzekutimin e urdhërave dhe motivimn e punonjësve. Në këtë pjesë departamenti i Burimeve Njerëzore u kthye nga një funksion biznesi në një partner biznesi. Në vitet e fundit jemi duke hyrë në një epokë të re "Menaxhimi i Talenteve", ku Burimet Njerëzore janë fokusuar në një strategji më të kompletuar: në bërjën e gjërave në mënyrë efikase dhe efektive, në krijimin e vlerave dhe kredibilitetit brenda organizatës, në përshtatshmërinë e trajnimeve në mënyrë relevante dhe fleksibël (Bersin, 2006).

Pyetja kërkimore, hipoteza dhe metodologjia e punimit

Qellimi kryesor i këtij punimi është të analizojë rëndësinë që ka në ditët e sotme menaxhimi i talenteve për ecurinë e organizatës. Në mënyrë më konkrete ne do të analizojmë se cilat janë strategjitë më të suksshme të menaxhimit të talenteve në kompanitë e ndryshme ndërkombëtare dhe sa të rëndësishme janë këto strategji për tu implementuar në kompanitë shqiptare? Hipoteza bazë e këtij punimi është 'sa më mirë të menaxhohen talentët në një organizatë, aq më mirë realizohen objektivat dhe synimet afatgjata të organizatës'. Duke qënë se 'menaxhimi i talenteve' nuk përbën një koncept dhe teknikë shumë të njohur në kontekstin shqiptar, ky punim do të bazohet kryesisht në diskutimin e të dhënave dytësore. Në studime të mëtejshme, synohet testimi konkret i strategjive të aplikuara dhe masave të ndërmarra nga kompanitë shqiptare në drejtim të menaxhimit të talenteve në organizatë.
Pjesa e parë e punimit është përqëndruar në strategjitë dhe pratikat e menaxhmit të talenteve dhe përfitimet që sjellin talentët në një organizatë. Në pjesen e dytë do të bëhët një analogji e rezultateve të arritura në pjesen e parë të punimit me kontekstin shqiptar të biznesit, më synim ndërgjegjesimin e sipërmarrësve shqiptarë për rëndësinë që ka në ditët e sotme investimi në menaxhimin e talenteve në organizatë. Konkluzionet dhe rekomandimet përkatëse do të përbëjnë pjesen përmbyllëse të këtij punimi.

Menaxhimi i talenteve si objektiv strategjik i biznesit

Sot punëdhënësit përballem me një treg të ndryshëm nga vitet e kaluara dhe është e vështirë për të mbajtur punonjës potencial me nivel interpretuesë relativisht të lartë. Organizatat po përballen me një konkurrencë shumë të lartë dhe është gjithnjë e më e vështirë të mbahet në nivele të larta zgjerimi i aktivitetit (Oracle, 2014). Nw nivel global, mw shumw se gjysma e punëdhënësve tregojnë se punësimi është rritur në raport me vitin e kaluar. "Ky studim tregon se është e vështirë për të gjetur dhe mbajtur talentët brenda një organizate" (Towers Watson, 2014). Punonjësit e sotëm, më shumë se asnjëherë tjetër kanë mundësinë e transferimit, lëvizjes dhe të punësimit në thuajse çdo skaj të botës. Në këtë këndvështrim, koncepti i stabilitetit në punë po zëvëndësohet gradualist me konceptin e stabilitetit të punonjësit. Kjo pasi, punonjësit e talentuar, në çdo moment janë të mundshëm për tu larguar nga organizata, gjë e cila përbën kosto shumëdimensionale për organizaten në fjalë.
Sondazhi vjetor global PwC's i CEOs ka treguar se 63% e të anketuarve janë të shqetësuar në lidhje me disponueshmërinë e ardhshme të aftësive kyçe të punonjësve të tyre. Ky rezultat na bën të kuptojmë më mirë arsyen se pse bizneset e vogla dhe të mesme perqëndrohen gjithnjë e më teper në menaxhimin e talenteve. Sondazhi i nëntë vjetor i Manspower Group mbi mungesen e talenteve ka treguar 'se 54% e punëdhënësve që raportojnë një mungesë talenti, thone se ajo ka një ndikim të rëndësishëm në aftësinë e tyre për të përmbushur nevojat e klientit. Rritja e qarkullimit të stafit është në vetvete pasojë e mungesës së talenteve nw organizatw. Megjithatë, lëvizja e shpeshtë e punonjësve të talentuar nga një organizatë në tjetren, rezulton të jetë negative për shkak të mos-angazhimit të tyre afatgjatë në një organizatë, nivelit të risisë dhe krijimtarisë në të' (Manpower Group , 2014). Nga ana tjetër, largimi i talenteve nga organizata e detyron këtë të fundit të punësojë njerëz më pak të talentuar, gjë e cila sjell dëmtime në performancën e organizatës dhe nuk mund ta çojë atë në nivelët e deshiruara të performancës.

Shumë drejtues biznesesh pohojnë se ekziston një problem në menaxhimin e talenteve dhe bien dakord se programet e menaxhimit të talenteve duhet të përmirësohen. Nga ana tjetër, zgjidhja e këtij problemi ka qënë i ngadalshëm, në raport me nevojat e bizneseve për shkak se një sistem i tillë (që realizon atë çfarë kanë nevojë burimet njerëzore dhe menaxherët) është i kushtueshëm për tu ruajtur dhe zbatuar (Oracle Corporation, 2014). Gjërat po ndryshojnë në mënyrë pozitive, duke filluar nga strategjitë e gjëra të biznesëve në drejtim të asaj çfarë talentët kërkojnë për të arritur suksesin. Kompanitë e suksesshme janë duke u fokusuar në menaxhimin e talenteve në mënyrë efektive dhe efikase (Oracle, 2014). Menaxhimi i talenteve kërkon integrimin dhe komunikmin mes kompanive ekzistuese për funksionet kryesore të burimeve njerëzore (Bersin, 2006).

Gjithashtu drejtuesit e lartë pohojnë se punonjësit përçojnë vlerën e biznesit. Çdo biznes mbështetet në talentët kyçe në mënyrë që të realizojë strategjitë e tij. Punonjësit e talentuar kanë vlerë për klientët dhe aksionerët e biznesit. Ata janë të mirë kualifikuar dhe kanë njohuri jo vetëm rreth punës së tyre por janë në gjendje të zgjidhin çdo situatë të mundshme që mund të ndodhë në biznes. Aftësi dhe njohuri të tilla janë një kërkesë e madhe për çdo organizatë, sepse 'nësë punonjësit nuk kanë aftësi për të përmbushur kërkesat e klienteve, atëhere organizata dështon'. Nësë punonjësit arrijnë të kuptojnë se ku janë më dobiprurësë në organizatë dhe menaxherët shprehin qartë çfarë duan nga punonjësit, atëhere bashkëpunimi i tyrë është një pasqyrim i realizimit të synimeve dhe objektivave të organizatës (The Economist Intelligence, 2007)

Biznesët përfitojnë kur qëllimet individuale të punonjësve janë në përputhje me qëllimet e biznesit. Në këtë këndvështrim burimet njerëzore ndihmojnë biznesin duke u siguruar se qëllimet e të dy palëve janë pothuajse të njejta dhe mund të ekzistojë bashkëpunimi. "Drejtimi i vërtetë i talenteve është një çelës për të qënë konkurrues" (Oracle, 2014, fq.5). Prandaj, më shumë se asnjëherë tjeter, menaxherët e burimeve njerëzore duhet t'i kushtojnë shumë vëmendje dhe rëndësi zgjedhjës së punonjësve të duhur për arritjën e qellimeve të organizatës. Lëvizshmëria e talenteve krijon tërheqje dhe sfidë njëkohësisht.

Menaxhimi i Talenteve & praktikat e Burimeve Njerëzore

Menaxhimi i talenteve është një proçes i vazhdueshën dhe i integruar për rekrutimin, trajnimin, menaxhimin, mbeshtetjen dhe kompesimin e ketyre individeve. Proçesi i menaxhimit të talenteve përfshin fuqinë punëtore, rekrutimin, vendosjën e talenteve në bord drejtimi, menaxhimin e përformancës, planifikimin e vazhdimësisë, kompesimin, aftësitë kritke etj., (Bersin, 2006). Talentet në organizatë kanë disa karakteristika të përbashkëta:

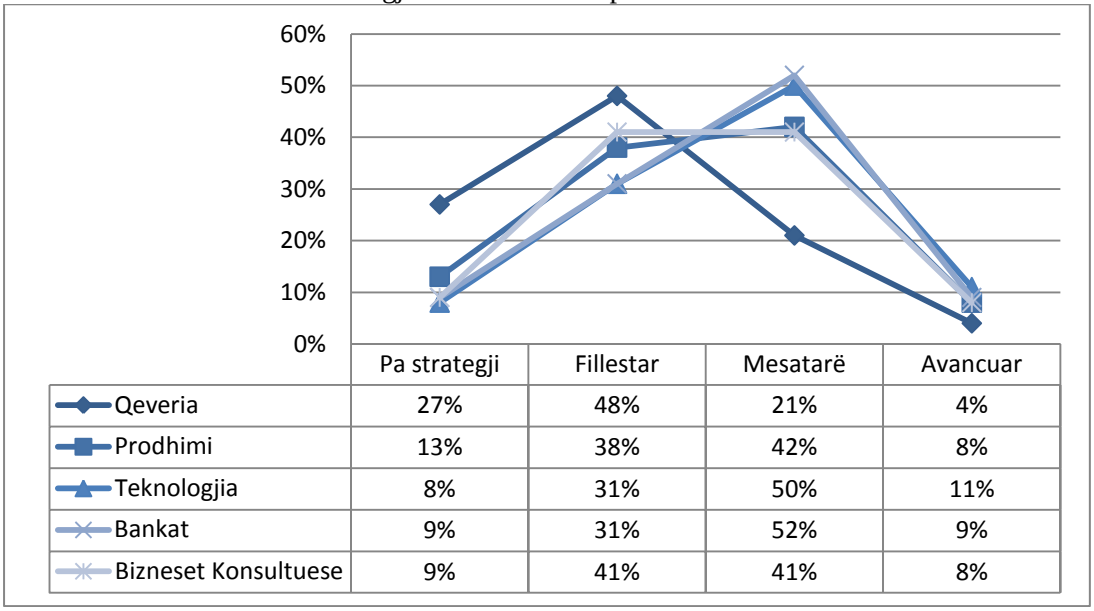
Talenti kërkon aftësi specifike & të përgjithshme
Talenti kërkon aftësi individuale & në grup
Talenti kërkon vlerësim & ndërgjegjshmëri
Talenti kërkon kompetenca, përkushtim & gadishmëri (Khatri Preeti, 2010)

Praktikat e mirëfillta të menaxhimit të talenteve kanë qëllim të rrisin performancën e organizatës, forcën e punës dhe zhvillimin profesional të punojësve (Dhanabhankyam & Kokilambal, 2014).
Menaxhimi i talenteve lidhet me çdo fazë të aktiviteteve të Burimeve Njerëzore:

Menaxhimi i talenteve dhe Fuqia punëtore: ky proçes krijon fuqinë punëtore, planet e punësimit, buxhetin e punësimit për vitin vijues.
Menaxhimi i talenteve dhe Rekrutimi: nëpërmjet ketij proçesi bëhet vlerësmi i duhur për zgjedhjën e duhur të punonjesve.
Menaxhimi i talenteve dhe Trajnime: kjo praktikë ka një rëndësi të madhe, siguron mënyrën e të mësuarit dhe të zhvilluarit të programeve për nivelët e organizatës. Mbi të gjitha, talentet menaxhohen sipas kategorive dhe në përputhje me objektivat strategjike të organizatës.
Menaxhimi i talenteve dhe Shpërblimet: në këtë fuksion organizatat përpiqën të përputhin planin e kompesimit në mënyrë direkte me menaxhimin e përformancës në mënyrë që përfitimet , stimujt, shpërblimet të lidhën me objektivate biznesit.
Menaxhimi i talenteve dhe përfshirja e talenteve ne bordin drejtimi: organizata duhet të trajnojë punojnësit që të jenë më produktive dhe të integruar në kompani, sidomos kur bëhet fjalë për përfshirjen e tyre në vendimmarrje të rëndësishme organizative.
Menaxhimi i talenteve dhe Menaxhimi i performancës: duke përdorur planin e biznesit, organizata përcakton proceset për vlerësimin dhe menaxhimin e punonjësve.
Menaxhimi i talenteve dhe Planifikimi i vazhdimësisë: ky funksion ju mundëson menaxherëve të Burimeve Njerëzore indetifikimin e kanditatëve të duhur për një pozitë të caktuar në të ardhmen. Gjithashtu planifikimi i vazhdimësisë duhet të jetë në përputhje me planin e biznesit në mënyrë që të kuptohen dhe të përmbushen kërkesat për postet kyçe (3-5 vjet).

Menaxhimi i talenteve dhe aftësitë kritike: analizohen mangësitë dhe bëhet përmirësimi i tyre. Shumë organizata po shkojnë drejt menaxhimit kritik të talenteve në ditët e sotme (Bersin, 2006).
Organiztat duhet të kënë të qarta strategjitë aktuale dhe strategjitë e ardhshme që do të ndjekin. Ato duhet të identifikojnë mangësitë e talenteve ekzistuese dhe të dijnë çfarë talentesh të tjera ju nevojiten për të ardhmen (Wellins, Smith & Scott).

Grafiku Nr. 1: Përdorimi i strategjive të talenteve sipas industrive



	Pa strategji	Fillestar	Mesatarë	Avancuar
Qeveria	27%	48%	21%	4%
Prodhimi	13%	38%	42%	8%
Teknologjia	8%	31%	50%	11%
Bankat	9%	31%	52%	9%
Bizneset Konsultuese	9%	41%	41%	8%

Burimi: Bersin & Associates, 2010

Teknologjia & Menaxhimi i Talenteve

Kompanitë vazhdojnë duke investuar në talente, duke sakrifikuar produktivitetin. Të kesh njerëz të talentuar në një organizatë është padyshim një arritje e madhe. Nga ana tjetër të dish t'i menaxhosh ata është çelësi i suksesit (Shoqata e Bashkive të Shqipërisë, 2001) Kompanitë gjithjnë e më shumë tentojnë të investojnë në talente, pasi nëpërmjet talenteve arrin të realizojnë qëllimet e tyre. Format më të zakonshme të investimit në talente përfshijnë:

Angzhimi i individëve për të përmbushur synimet dhe objektivat e organizatës
Zhvillimi profesional i ekipeve & individëve
Menaxhimi i përformancës me efektivitet
Përzgjedhja e talenteve më të mirë për promovimet
Reduktimi i sfidave të komunikimit
Komunikimi në të gjitha disiplinat & grupmoshat
Vleresimi i talentit për më të mirët për tu bashkuar në organizatë
Gjetja e talenteve jashtë organizatës
Suksesi me kontraktorët (Project Management, 2013)

Megjithatë, investimi me koston më të lartë në drejtim të menaxhimit të talenteve ka të bëjë me investimin teknologjik. Zhvillimet teknologjike janë drejtpërdrejtë të lidhura me burimet njerëzore, dhe në mënyrë specifike me menaxhimin e talenteve në organizatë. Përmes implementimit të teknologjise së informacionit në funksion të departamentit të Burimeve Njerëzore, është një arsye më shumë që e bën këtë departament më strategjikë dhe i jep mundësinë që të kenë ndikim të drejtpërdrejtë në suksesin e biznesit (Road, 2014). Dekadat e fundit e kanë transformuar departamentin e Burimeve Njerëzore në një sistem të mirëfilltë teknologjik që siguron menaxhimin e talenteve, që ofron një strategje të sofistikuar të rekrutimit dhe që mbulon në mënyrë efektive fazat e ciklit të jetës së punonjësve. Teknologjia ka ndihmuar në menaxhimin e talenteve në mënyrë efikase,

ka thjeshtësuar punën e Burimeve Njerëzore, ka ndryshuar mënyrën se si Burimet Njerëzore realizojnë procesin e menaxhimit të talenteve etj., (Oracle, 2014).

Konteksti shqiptar i Biznesit dhe Menaxhimi i Talenteve në organizatë

Si pjesë e ekonomive në zhvillim, tregu i punës në Shqipëri akoma nuk pretendohet të jetë në fazën ku punonjësit lëvizin në mënyrë sistematike nga një kompani në tjetren. Përkundrazi, niveli i lartë i papunësisë është një tregues domethënës për të kuptuar deri diku kontekstin e biznesit në vend. Ajo çfarë duket shqetësimi kryesor tek shumë punonjës është garantimi i një vendi punë dhe qendrimi sa më afatgjatë në tregun e punës. Kjo ndoshta lidhet edhe me numrin e lartë të të diplomuarve çdo vit nga auditoret e universiteteve nga njëra anë dhe me numrin e vogël të hapsirave të punësimit nga ana tjetër. Në këtë situatë, menaxherët e lartë organizativ duket se nuk e ndjejnë mjaftueshëm "presionin" e largimit të talenteve nga organizata e tyre. Për rrjedhojë edhe investimi i tyre në drejtim të menaxhimit të talenteve është relativisht i ulët.
Megjithatë, hapja e tregut të punës në kuadër të globalizimit dhe lëvizjes së lirë të punonjësve, mendoj së duhet parë si kërcënim serioz nga ana e kompanive shqiptare. Kjo për faktin e thjeshtë se punonjësit e talentuar kanë më shumë se asnjëherë mundësi për tu punësuar jashtë kufijve të Shqipërisë, në organizata dhe kompani të ndryshme në thuajse çdo vend të botës. Për këtë arsye, menaxherët e lartë në Shqipëri duhet të ndërgjegjësohen mbi rëndësinë që investimi në drejtim të menaxhimit të talenteve, në mënyrë që këta të fundit ta shohin veten si pjesë të organizatës dhe si pjesë e planeve të tyre afatgjata.
Kompanitë e huaja që operojnë në Shqipëri, si për shembull Vodafonë, sjellin frymën pozitive të investimit në talented brenda organizatës përmes pagave të diferencuara të tyre, investimit në trajnimin dhe kualifikimin e mëtejshëm të punonjësve të talentuar, dhënien e mundësisë për karrierë, përfshirjen në vendimmarrjet më të rëndësishme organizave etj. Ndoshta ky është një shembull i mirë që sipërmarrësit shqiptarë duhet të ndjekin në mënyrë që të garantojnë suksesin e tyre afatgjatë në treg.

Konkluzione

Në ditët e sotme thuajse çdo organizatat është në kërkim të talenteve të cilat do të punojnë sa më gjatë për të. Punonjësit janë ndërgjegjësuar për rëndësinë që kanë si aset themelorë i çdo organizate ndaj dhe pretendimet e tyre sa vijnë e shtohen. Për rrjedhoje mbajtja e talenteve brenda organizatës është bërë shumë e vështirë. Tashmë menaxhimi i talenteve fillon që nga proçesi i intervistës për të parë nësë punonjësi është i përshtatshëm për organizatën, e deri tek mënyra e ndarjës së punonjësve sipas ekspertizës dhe aftësive të tyre brenda organizatës. Me rritjen e konkurrencës, mungesa e talenteve dhe efektet e globalizimit do të sjellin nevojë më të madhe për menaxhimin e talenteve në drejtimin e duhur në një organizate. Kompanitë po levizin në drejtimin e menaxhimit të talenteve në mënyrë të integruar dhe sistematike.
Nëse i referohemi kontekstit shqiptar të biznesit, në pamje të parë duket se menaxhimi i talenteve nuk është akoma një domosdoshmëri pasi punonjësit kanë tendencen të jenë sa më afatgjatë në një vend pune dhe nuk preferojnë lëvizjen e vazhdueshme nga një kompani në tjetren. Megjithatë, globalizmi ju ka krijuar tashmë mundësinë punonjësve (përfshirë edhe atyre shqiptarë) të lëvizin jo vetem breda kufijve kombëtar, por në çdo skaj të globit. Ky fenomen, i nxitur edhe nga pasiguria dhe destabiliteti politik, mund të kthehet në një risk kërcënues për biznesin në Shqipëri. Për këtë arsye, sipërmarrësit në vendin tonë duhet të trajtojnë me prioritet strategjitë bashkëkohore të menaxhimit të talenteve, në mënyrë që të parandalojnë (dhe jo thjesht të korrigjojnë) pasojat që mund të shkaktoje fenomeni i lëvizjes sistematike të punonjësve në të ardhmen.

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BRIKENË DIONIZI – PLANIFIKIMI STRATEGJIK, SPECIFIKA PËR SME-TË

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Abstract

Planning is a very important function that accompanies the performance of each manager. This function has specific characteristics to the small business, depending on their nature. Given the structure of the Albanian business, small business predominates, so it's pertinent to study the specifics of planning in this category. "What are the characteristics of planning?", "Do the managers of SMEs realize strategic planning?" – these are some of questions to be made. Here will be addressed also a very efficient tools as it's the balanced scorecard, which can help managers in the strategic planning process. It'll also be analyzed in the perspective of SMEs. Albania is looking for entering the common European market, but the business environment must be ready and operate on the European standards. This is why it's important to study the environment, to evaluate the problematics in order to formulate effective strategies for improving the business climate

Key words: SMEs, strategic planning, balanced scorecard.

Hyrje

Vizioni i çdo qeverie duhet të jetë krijimi i një mjedisi të përshtatshëm që biznesi të lindë e të lulëzojë. Por që të realizohet kjo, duhet të kuptojmë karakteristikat e biznesit në vend, si dhe elementët përcaktues të suksesit apo dështimit të tyre. Biznesi në çdo vend ka karakteristikat e veta, prandaj del e domosdoshme për akademikët të studjojnë biznesin vendas dhe të paraqesin strategji që mund të përdoren nga politikëbërësit. Të gjithë duhet të kuptojnë që ndërvarësia e të gjithë bizneseve është një realitet bazë i sistemit ekonomik. Asnjë biznes sot nuk është një entitet më vete, aktiviteti i tij ka varësi nga bizneset e tjera. Pikërisht në këtë ndërvarësi gjendet roli i SME-ve pavarësisht nga struktura e biznesit në një vend të caktuar. Duke iu referuar vendit tonë, kategorizimi i biznesit ndryshon nga ai i Bashkimit Europian. Kështu sipas standarteve të BE-së kategorizimi është si më poshtë.

Tabela 1. Kategorizimi i Biznesit sipas BE-së

Kategorizimi biznesit	Nr.punonjësve	Xhiroja	ose	Totali i bilancit
Biznes i mesëm	< 250	≤ € 50 m		≤ € 43 m
Biznes i vogël	< 50	≤ € 10 m		≤ € 10 m
Mikrobiznes	< 10	≤ € 2 m		≤ € 2 m

Burimi: http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/index_en.htm

Duke iu referuar kategorizimit të mësipërm, në Shqipëri për vitin 2012 ishin 77 000 biznese në kategorinë SME, të cilët mbulojnë 70% të punësimit295. Duke iu referuar të njëjtit burim, Shqipëria në pesë vitet e fundit ka përjetuar një rritje të qëndrueshme. Por Shqipëria është një vend kandidat që inspiron hyrjen në tregun e përbashkët europian ku SME-të konsiderohen si një element kryesor për novacion, punësim, si dhe integrim social e lokal në Europe296. Kjo është një arsye më shumë për t'u kujdesur për legjislacionin, lehtësinë për fillimin e një biznesi të ri dhe elemente të tjerë që janë të rëndësishëm për krijimin e klimës së përshtatshme për nxitjen e zhvillimin e SME-ve. Nga ana tjetër, SME-të duhet të bëjnë përpjekje për zhvillimin e biznesit të tyre e planifikimi konsiderohet shumë i rëndësishëm pasi shumë elemente lidhen me efektivitetin e tij. Planifikimi ka të bëjë më përcaktimin e

[295] Muller et al., 2014, Annual Report on European SMEs 2013/2014, A partial and fragile recovery, pp. 51
[296] http://ec.europa.eu/enterprise/policies/sme/files/charter/docs/charter_en.pdf

objektivave të biznesit dhe përcaktimin e strategjive për t'i arritur ato297. Zakonisht te SME-të është pronari/menaxher që merret me planifikimin, i cili është kryesisht informal (Scarborough, 2014). Mund të jetë me vlerë të studjohet proçesi i planifikimit te SME-të në vendin tonë dhe efektiviteti i këtij proçesi në produktivitetin e biznesit. Njohja është e vlefshme për të mirëpërcaktuar, në vazhdimësi, nevojat që ka kjo kategori biznesi dhe strategjitë e përshtatshme për nxitjen e tyre, të nevojshme këto për institucionet e edukimit, ato rregullatore, por edhe për politikëbërësit.

Planifikimi, specifika për SME-të

Disiplina e menaxhimit strategjik u shfaq në vitet 1980, bazuar në arritjet në fushën e planifikimit strategjik. Përgjithësisht menaxhimi strategjik shihet me orientim afatgjatë, i orientuar nga mundësitë për rritje në të ardhmen, i lidhur me nivelin më të lartë menaxherial që përcakton misionin, vizionin dhe kulturën e biznesit.

Planifikimi strategjik është një përpjekje për t'u përgatitur për të papriturat në të ardhmen, duke marrë parasysh dinamikën dhe kompleksitetin e mjedisit. Megjithëse e ardhmja nuk mund të parashikohet, është e mundur që organizata të përgatitet për të ardhmen dhe të marrë vendimet e veprime e duhura. Ndryshe nga menaxhimi strategjik, planifikimi nuk është i lidhur me zhvillimin e vizionit e objektivave strategjike, por siguron udhëzimet dhe programon për arritjen e vizionit e objektivave strategjike.

Pavarësisht nga fuqia relativisht e vogël e tregut, madhësia dhe fleksibiliteti i SME-ve i lejon atyre të specializohen për tregje të vogla që zakonisht nuk i interesojnë kompanive të mëdha për shkak të shitjeve relativisht të vogla dhe kostove fikse të mëdha. Për më tepër burimet e kufizuara të SME-ve rezultojnë në përqendrim në produkte, ku mund të sigurohen avantazhe të mëdha konkurruese dhe aftësi të veçanta për zgjidhje problemesh. Gjithashtu dhe fleksibiliteti ne vendim-marrje dhe kontaktet direkte me konsumatorin ndihmojnë në konvertimin e rezultateve të kërkim&zhvillimit në novacione të tregtueshme megjithëse mbetet risku i mbështetjes vetëm në një numër të vogël produktesh dhe mungesa e kompensimit të humbjeve (Kropfberger, 1986).

Duke qenë një vend ku mbizotërojnë SME-të (me mbi 90% të numrit total të bizneseve), është e rëndësishme që këto biznese të shihen si një burim të ardhurash (nëpërmjet taksave), inicativave sociale (nëpërmjet përfshirjes në komunitet), por edhe të vendeve të punës. Elementet që mundësojnë suksesin e biznesit mund të kategorizohen në tre grupe: kapacitetet dhe mundësitë e brendshme, mjedisi i jashtëm dhe vizioni i pronarit298. Është e rëndësishme që të kemi biznese të suksesshme prandaj dhe duhet të analizojmë këta elemente, ndër të cilët planifikimi strategjik zë një vend kyç. Gjithashtu biznesi nuk mund të mendohet pa novacionin, i cili duhet të merret parasysh në momentin e planifikimit strategjik. Studime të ndryshme tregojnë një marrëdhënie të drejtë ndërmjet planifikimit strategjik dhe suksesit. Bizneset që realizojnë planifikim strategjik sigurojnë rezultate më të mira, gjë që nënkupton që shpenzimet që lidhen me aktivitetet e planifikimit janë të kompensueshëm financiarisht (Kraus et al, 2008). Pearce&Robinson (2010) paraqesin tre modele të planifikimit formal strategjik: lloji sipërmarrës, planifikues e përshtatës. Vazhdimisht janë diskutuar ndryshimet ndërmjet SME-ve dhe bizneseve të mëdha, ndryshime që rrjedhin nga madhësia, lloji i biznesit apo faktorë të tjerë. Nganjëherë SME-të nuk i kanë burimet (financiare apo njerëzorë) për të siguruar vazhdueshmëri në zbatim të planifikimit srategjik. Në krahasim me kompanitë e mëdha, SME-të përgjithësisht kanë një nivel më të ulët burimesh, duke filluar nga kapitali financiar e njerëzor, si dhe mungesë të formimit akademik profesional (sidomos të menaxherit/pronar). Lidhur me planifikimin zakonisht SME-të angazhohen në forma intuitive, jo formale e të pastrukturuar të planifikimit të biznesit (Ponelis, 2014), të cilat mund të jenë pasqyrim i llojit sipërmarrës të planifikimit (Pearce&Robinson, 2010). Sipas këtij lloji bizneset praktikisht janë nën kontrollin e vetë pronarëve, ku vlerësimi strategjik është informal, intuitiv dhe i kufizuar.

[297] Daft R., 2006, The New Era of Management, pp 238
[298] Durham Business School, 2013, "Understanding growth in Microbusiness", BIS Research Paper no.114

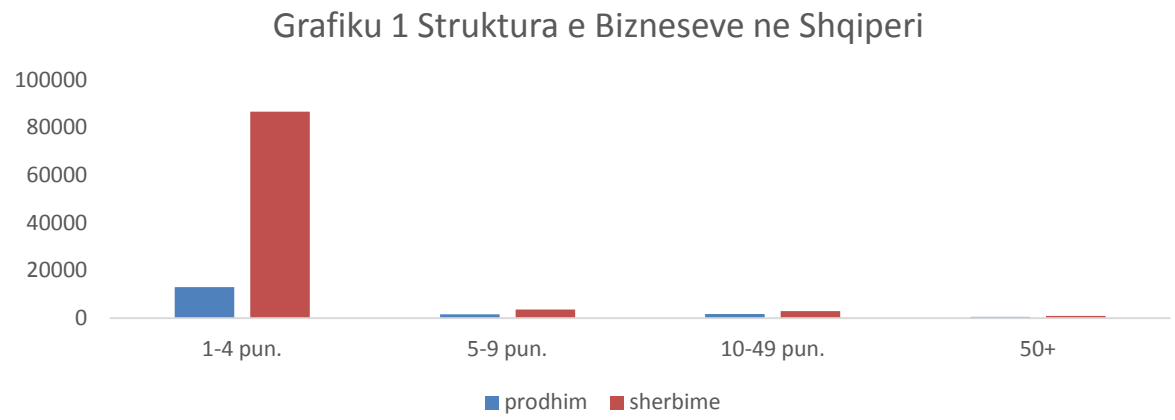
Karta e balancuar tek SME-të

Menaxherët duhet të ndërgjegjësohen për elementët që sigurojnë sukses dhe të kuptuarit e marrëdhënieve ndërmjet faktorëve kyç të suksesit ndihmon në përcaktimin e strategjisë. Në mënyrë që të kordinojnë iniciativat strategjike me sjelljen e punonjësve, shumë firma përdorin kartën e balancuar299, e cila ndër të tjera është një mjet për pasqyrimin e marrëdhënieve mes faktorëve të ndryshëm (Antola et al, 2006) dhe vë theksin mbi balancën mes matësave financiarë e jofinanciarë për arritjen e drejtimit strategjik. Ajo u prezantua së pari nga Kaplan&Norton në 1992 në përpjekje për të përqendruar bizneset e mëdha në përmirësimin e matësave të tyre financiarë. Karta e balancuar siguron një mjet të fuqishëm për vizualizimin e strategjisë si një zinxhir i marrëdhënieve shkak/pasojë ndërmjet objektivave strategjikë dhe matjeve që mund t'iu komunikohen lehtësisht të gjithë punonjësve300. Ajo gjithashtu mund të ndihmojë për përmirësim në vendim-marrje e performancë.
Biznesi i vogël, i cili mund të përpiqet të përshtasë një proçes formal planifikimi, do të vendosë më tepër theks në cilësinë e vendimeve strategjike pasi menaxherët mund të kenë mungesë vizioni afatgjatë për ku është orientuar kompania, meqë orientohen më tepër nga proçese operacionale sesa strategjike (Lyles et al, 1993). Fillimisht e përdorur si një mjet për matjen e performancës, karta e balancuar sot mund të përdoret në kuadrin e komunikimit strategjik, si dhe të matjes së performancës. Ajo duhet të pasqyrojë rëndësinë e komunikimit të qartë të objektivave dhe prioriteteve, por edhe përfitimet e të mësuarit të vazhdueshëm dhe punës së integruar. Për të maksimizuar efektin e saj, karta e balancuar mund të përdoret në qendër të sistemit të menaxhimit strategjik pasi krijon një kordinim ndërmjet objektivave, iniciativave, njerëzve, proçeseve e sistemeve në gjithë organizatën. Monk (2000) rekomandon përdorimin e kartës së balancuar në sektorin e SME-vë për parandalinim, uljen apo menaxhimin e vështirësive, duke treguar vëmendje ndaj treguesve kyç, të tillë si kënaqësia e konsumatorit dhe cilësia. Ajo mund të përdoret edhe për përmirësimin e vazhdueshëm, një element i rëndësishëm ky për rritjen e SME-ve (Gumbus&Lussier, 2006). Megjithëse studimet empirike mbi zbatimin e kartës së balancuar janë shumë të pakta, përdorimi i saj duhet të stimulohet, sidomos për menaxherët-pronarë vizionarë që kërkojnë gjithnjë përmirësimin dhe i japin rëndësi të veçantë planeve afatgjata. Nga ana tjetër duhet të mbajmë parasysh që efektiviteti i një mjeti do maksimizohet, atëherë kur personat që e zbatojnë e njohin dhe dinë vlerat e tij. Prandaj mbetet gjithnjë i rëndësishëm mbajtja dhe trajnimi i punonjësve më të mire pasi mungesa e burimeve njerëzore m tepër sesa e atyre financiare është një nga barierat më të mëdha në zbatimin e karës së balancuar tek SME-të (Fernandes et al, 2006). Po ashtu kushtet e përgjithshme dhe kënaqësia e punonjësve mund të jenë barrier në implementim (Fernades et al, 2006, Ulf et al, 2006).

SME-të dhe terreni shqiptar

Ekonomia shqiptare përfshihet në ato ekonomi që udhëhiqen nga efiçenca me nje indeks global të konkurrencës të përkeqësuar (nga vendi i 78-të në 2011 në atë të 97-të në 2014), me një koefiçent të edukimit e trajnimit 4.5 (vlerësimi 1-7), por koefiçent të novacionit 2.7 (vlerësimi 1-7)301. Kjo mund të interpretohet si një mungesë efiçence dhe efektiviteti në përdorimin e kapacitetit intelektual prandaj del e domosdoshme për studjuesit që të orientohen nga tregu dhe të vendosin në zbatim teoritë e tyre. Një iniciativë e tillë mund të merret edhe tek SME-të, duke pasur parasysh që Shqipëria hyn në vendet ku dominon biznesi i vogël, siç shihet dhe nga grafiku i mëposhtëm.

[299] Smeal College of Business, The Pennsylvania State University, 2006, Innovation and Change Management in Small and Medium-Sized Manufacturing Companies, pp 35
[300] Kaplan&Norton, 2008, Mastering the Management System, available at https://hbr.org/2008/01/mastering-the-management-system
[301] Raporti i konkurrencës globale 2014-2015, pp 104-105, I disponueshëm në http://www3.weforum.org/docs/WEF_GlobalCompetitivenessReport_2014-15.pdf



Burimi: INSTAT, Ndërmarrjet aktive sipas aktivitetit ekonomik madhësisë, 2013

Zakonisht bizneset e vogla drejtohen nga pronarët/menaxherë, të cilët mund të jenë strategjikisht miopë pasi atyre iu mungon vizioni afatgjatë për ku është orientuar biznesi dhe më tepër orientohen nga cështje operacionale sesa strategjike (Mazaarol, 2004). Supozohet se ata përdorin burimin e kufizuar kohor më tepër për aktivitetet operacionalë apo të shitjes (Kraus et al, 2007). Disa nga problematikat që lidhen me zhvillimin e strategjisë te SME-të rrjedh nga vetë karakteristikat e tyre (Flueglistaller et al, 2003; Kraus et al, 2007), të tilla si:

- Burimet, koha e mjetet e kufizuara
- Njohuritë e kufizuara
- Përqendrimi kryesisht vetëm në një treg/produkt
- Mbingarkesë e mundshme për menaxhimin

Qëllimi i studimit është për të vlerësuar nëse

- kompanitë realizojnë planifikim strategjik
- sa është efektiv planifikimi i tyre
- a e njohin kartën e balancuar si një mjet që ndihmon në planifikim

Për këtë u morën në studim 127 biznese në rrethin e Shkodrës. Zgjedhja u bë e rastësishme, por duke patur parasysh edhe zhvillimin e biznesit në rreth, të gjithë bizneset janë biznese në kategorinë SME. Për realizimin e studimit u përdor pyetsori, i cili u plotësua nga pronari i biznesit nëpërmjet kontaktit direkt. Nga përgjigjet rezulton që vetëm 76% e bizneseve kanë një plan të shkruar (97), nga të cilët 61% (51 biznese) kanë bërë një plan të tillë vetëm sepse i është kërkuar nga institucionet financiare në momentin që kanë kërkuar të marrin kredi në bankë. Kështu rezulton që vetëm 38 biznese (nga ata që janë marrë në studim) e shohin si të domosdoshëm planifikimin strategjik dhe planet e tyre i shkruajnë e i realizojnë. Përsa i përket njohjes së kartës së balancuar, asnjë nga këta biznese nuk e njeh këtë mjet.

Diskutime

Menaxhimi i një biznesi të vogël përfshin një sjellje strategjike më shumë sesa zakonisht pranohet. Kështu psh vendim-marrja e pronarit/menaxher nuk është sistematike dhe formale në këndvështrimin e planifikimit, megjithatë ka ndikim strategjik tek firma302. Mund të themi që sipërmarrësit shqetësohen për qëndrimin afatgjatë në treg pasi ata kanë një vision në mendjen e tyre (mund të shohin dhe fëmijët e tyre duke drejtuar biznesin në një të ardhme). Ata janë kaq shumë të lidhur emocionalisht me biznesin, por duhet të ndërgjegjësohen për rëndësinë që ka planifikimi në të

[302] Reboud&Mazzarol, 2008, Strategic planning in SMEs, a Revieë of the English and French Literature, Paper presented at the ANZAM Annual Conference, pp 2

ardhmen e biznesit. Ata mund të përdorin afërsinë që kanë me konsumatorin për të siguruar njohuri për tregun, të bëjnë planin e tyre strategjik dhe të zbatojnë ndryshimin (ata janë më fleksibël sesa bizneset e mëdha).

Proçesi i planifikimit te SME-të shpesh mund të kërkojë një përmirësim rrënjësor dhe një sistem i kuptueshëm për planifikim mund të jetë një parakusht për menaxhimin e riskut, me të cilin çdo sipërmarrës ndeshet (Henschel, 2006). Rezultatet e mësipërme japin një pasqyre të realitetit të biznesit, një realitet jo shumë pozitiv. Kjo është edhe në mbështetje të Scarborough, 2014; Daft, 2006; Ponelis, 2014, të cilët pranojnë që planifikimi në bizneset e vogla është më tepër informal. Megjithatë prezantimi me kartën e balancuar, si një mjet që ndihmon në planifikim e kontroll, do ishte një strategji e përshtatshme për të rritur ndërgjegjësimin e biznesit për rëndësinë e planifikimit në rritjen e efiçencës e efektivitetit të veprimeve të tyre të përditshme e afatgjata. Prandaj për të ardhmen do ishte me vlerë të sugjerohej trajnimi e orientimi i bizneseve nga elemente konkrete që ndihmojnë në planifikim dhe realizimi i studimit me një mostër shumë më të madhe se mostra e marrë aktualisht. Kjo do ndihmonte më shumë në objektivitetin e studimit.

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DORUNTINA MUSTAFA – STRUKTURA DHE ROLI I NVM-VE NË EKONOMINË E KOSOVËS

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Abstrakti

Duke pasur parasysh ndikimin dhe rolin që po e nxënë ndërmarrjet e vogla dhe të mesme në ekonominë vendore vendosa që objekt shqyrtimi për këtë punim të merren pikërisht ky lloj i subjekteve ekonomike.
Studimi i kësaj problematike mund të themi se ka mjaft rëndësi për shumë arsye, një nga arsyet e shumta është se numri i tyre dekadën e fundit ka shënuar rritje të konsiderueshme, ndonëse një rritje e tillë viteve të fundit nuk po vërehet.
Një arsye tjetër për punimin e kësaj teme, është domosdoshmëria e njoftimit të qytetarëve me dinamikën dhe ndikimin e këtyre bizneseve në ekonominë vendore si dhe mundësitë e tyre për të pasur qasje edhe në ekonominë ndërkombëtare.
Për shkak të krijimit të këtyre rrethanave të reja politike, ekonomike dhe juridike NVM janë të prirura që të shfrytëzojnë rrethanat e krijuara dhe për t'i shfrytëzuar ato drejt një ndikimi pozitiv për ekonominë vendore.
Për arritjen e rezultatëve të dëshiruara gjatë studimit dhe hulumtimit të këtij punimi me qëllim që ky punim të jetë sa më serioz, i qartë dhe i punuar në mënyrë sa më profesionale janë përdorur metodologji dhe metoda të caktuara empirike , si rrugë për të arritur deri te një studim sa më objektiv i NVM-ve në Kosovë.
Ky punim është bazuar në literaturë teorike, shkencore dhe dispozitat e aplikueshme, po ashtu nuk ka munguar edhe konsultimi me punime shkencore të autorëve të ndryshëm. Të dhënat e siguruara janë të sistemuara dhe të klasifikuara në aspektin kronologjik dhe përmbajtësor, me qëllim të paraqitjes së tyre në mënyrë sa më racionale dhe të kuptueshme.

Qasjet dhe specifikat e ndryshme në përkufizimin e BVM

Në literaurën e sotme, por edhe në jetën e përditshme ka një trajtim të gjerë lidhur me termin ndërmarrje, përkatësisht biznese të vogla dhe të mesme (NVM / BVM). Megjithatë nuk ka pajtueshmëri rreth asaj se cilat janë kriteret që e përcaktojnë një ndërmarrje apo biznes për të qenë i vogël apo i mesëm.

Një nga përkufizimet për biznesin e vogël është dhënë nga "Committee for Econimic Development", sipas të cilit duhen të plotësohen dy ose më shumë nga karakteristikat vijuese:
Menaxhmenti i firmës është i pavarur dhe zakonisht menaxherët janë njëkohësisht pronarë
Kapitali është një pronësi të një individi ose një grupi të vogël;
Regjioni i shtirjes kryesisht është i vogël, ndërsa të punësuarit dhe pronarët janë nga i njëjti rajon. Mirëpo tregu nuk do të thotë të jetë lokal.
Madhësia relative e firmës në korniza të industrisë patjetër duhet të jetë e vogël kur krahasohet me ndërmarrjet më të mëdha në atë rajon.
Kjo mund të jetë e paraqitur në termine si madhësia e shitjes, numri i të punësuarve ose një numër i madh i krahasimeve të rëndësishme.
Është e qartë se gjatë përkufizimit të biznesit të vogël dhe të mesëm duhet të merren parasysh më shumë kritere, të cilat mund të ndihmojnë. 303
Ekzistojnë dallime themelore në mes të ndërmarrjeve të vogla dhe të mëdha, të cilat duhet pasur parasysh, kur bisedohet për zbatimin e menaxhmentit. Thënë thjeshtë, ndërmarrjet e vogla kanë disa

[303] M.Mustafa, E. Kutllovci, P.Gashi, B. Krasniqi., Biznesi i vogël dhe i mesëm,Instituti Riinvest,Prishtinë 2006 fq. 19

karakteristika imanente, të cilat dalin nga madhësia. Kështu, p.sh. ndërmarrjet e vogla kanë numër të vogël të punësuarish, madhësi të vogël të punës, numër të vogël shfrytëzuesish dhe kryesisht veprojnë në tregje lokale. Për të sqaruar dallimet në aplikimin e menaxhmentit në ndërmarrjet e vogla dhe të mëdha, është e nevojshme që të sqarohen disa karakteristika plotësuese të ndërmarrjeve të vogla të cilat i dallojnë nga ndërmarrjet e mëdha.

Ato janë:
Marrja më e shpejtë e vendimeve
Fleksibilitet më i madh
Centralizim më i madh gjatë marrjes së vendimeve, strukturë organizative e thjeshtë
Ndikim i madh i pronarit, komunikim i drejtëpërdrejtë prej lartë poshtë, planifikim formal i thjeshtë
Participim i kufizuar të punsuarëve në vendimmarrje, më pak nivele të menaxhmentit.304

NVM-të gjenerator kryesor i zhvillimit ekonomik në Kosovë

Ndërmarrjet e vogla dhe të mesme kanë një histori shumë të gjatë, ndërsa zhvillimi i tyre është i shënuar me zgjerimin dhe stagnimin e tyre të kohëpaskohshëm.
Ndonëse një pjesë e vogël e tyre përdor teknikë tradicionale pjesa më e madhe aplikon një teknologji të re dhe të lartë si dhe një organizim modern. Primare është se NVM-të simbolizojnë një shkallë të lartë të inovacionit, fleksibilitetit dhe adaptim ndaj ndryshimeve, të cilat ndodhin në rrethinë. Edhe pse janë të orientuara nga tregu lokal NVM-të kanë ndikim edhe në këmbimet ndërkombëtare, pjesëmarrja e tyre është shumë më e madhe sesa e ndërmarrjeve të mëdha. Rastet kur ekonomitë e ndërmarrjeve të vogla, të mesme dhe të mëdha po gjejnë një gjuhë të përbashkët po bëhen çdo ditë e më të mëdha. Zhvillimi i NVM-ve kontribuon edhe në vendet në tranzicion në ringjalljen e iniciativës ndërmarrëse në ndryshimin e stukturës ekonomike dhe funksionimin e ekonomisë në përgjithësi në Kosovë dhe vende tjera të botës.

Sfidat kryesore janë rritja ekonomike, zhvillimi i NVM-ve, gjetja e tregjeve nga prodhuesit, përmirësimi i legjislacionit për NVM-të, luftimi informalitetit e korrupsionit, reforma në administratën publike, mbyllja e bizneseve e shumë sfida tjera që po pengojnë zhvillimin e NVM-ve. Pa rritjen e fuqisë blerëse nuk ka edhe zhvillim të NVM-ve. Sidomos në këto vite në Kosovë, zhvillimi i NVM-ve kontribuon në përballimin e çështjeve të shumta të lidhura me zhvillimin ekonomik, me efektet e pabarazisë sociale, me nivelin e lartë të papunësisë, me rritjen më të shpejtë demografike dhe me nevojën shumë të madhe për ndryshime strukturale në përgjithësi. Zhvillimi i NVM-ve ofron mundësi të mëdha punësimi, të cilat do të ndihmojnë në zvogëlimin e nivelit të papunësisë, dhe në përballimin e problemeve demografike të popullatës, të cilat janë në rritje mjaft të shpejtë.

Zhvillimi do të promovojë edhe transformimin e përgjithshëm të sektorit të NVM, për shkak të lidhjes me inovimin dhe zhvillimin teknologjik të këtyre ndërmarrjeve. Prandaj, zhvillimi i sektorit të NVM-ve është i rëndësishëm për Kosovën, sidomos nëse merren parasysh problemet sociale në vendit, të cilat janë në masë të madhe pasojë e rritjes së pabarabartë ekonomike. Zhvillimi i qëndrueshëm i rajonit kërkon shpërndarjen e kulturës së promovimit të investimeve dhe të territoreve ndërvepruesit lokalë, duke mundësuar ndarjen më të mirë të investimeve, vendeve të punës, pasurive dhe përballimin e konkurrencës, e cila intensifikohet vazhdimisht kohëve të fundit në Kosovë.
Në Kosovë mbi 99% të numrit të përgjithshëm të firmave janë karakterizuar si ndërmarrje të vogla dhe të mesme, prandaj roli i tyre në zgjidhjen e papunësisë dhe rritjen ekonomike, zvogëlimin e varfërisë është tejet i madh.

Problemet e menaxhmit financiar

Sikurse edhe në fushat e tjera edhe tek fusha e menaxhimit të financave në BVM paraqiten probleme specifike që kanë të bëjnë me efiçiencën në sigurimin e burimeve të nevojshme si dhe për mundësitë

[304] M.Mustafa, E. Kutllovci, P.Gashi, B. Krasniqi., Biznesi i vogël dhe i mesëm,Instituti Riinvest,Prishtinë 2006 fq. 22

për të shfrytëzuar mirë asetet, me të cilat disponojnë bizneset dhe duke krijuar nga ato si afësinë paguese (likuidetin) dhe aftësinë për të investuar. Lidhur me këtë paraqiten probleme të shumta.
Menaxhimi dhe evidenca e varfër, e cila ka burimin në nënçmimin e rëndësisë së ndërtimit të një evidence të mirë financiare, sistemi cilësor informativ, nga ana e pronarit dhe ndërmarrësit. Kjo ka për pasojë që menaxhmi i financave nuk bëhet në mënyrë efektive, nuk ka kontroll efikas financiar dhe vendimet për shfrytëzimin e mjeteve në disponim, apo për sigurimin e mjeteve plotësuese nuk janë cilësore dhe nuk merren në kohën e duhur.
Kontrolli jo cilësor ndikon në shfrytëzimin joracional të aseteve ekzistuese kështu që mund të paraqiten situata kur hyet në borxhe pa nevojë dhe nuk i kushtohet mjaft kujdes shfrytëzimit të aseteve me të cilat disponon biznesi.
Stoqet e tepërta, të cilat shkatojnë mungesë financimesh të kapitalit punues dhe vonesa në arkëtimin e pagesave janë pasojë logjike e një gjendjeje kur evidenca nuk shikohet me kujdes nga pronari apo menaxheri.

Bizneset e Regjistruara në Kosovë

Sipas ARBK-së në MTI, numri i NVM-ve të regjistruara më 31 dhjetor 2010 ishte më i madh se 100.000, të cilat punësojnë 216.799 punëtorë, ose 79.59% të totalit të të punësuarve në sektorin privat dhe 62.24% të totalit të punësuarve në Kosovë.
Madhësia e NVM-ve në Kosovë është e definuar me Ligjin nr. 2005/02-L5 dhe me Ligjin nr. 03/L-031 për mbështetjen e Ndërmarrjeve të Vogla dhe të Mesme. Numri i të punësuarve është
kriteri i vetëm që përdoret për klasifikimin e ndërmarrjeve sipas madhësisë në Kosovë. Kjo paraqet dallimin me vendet e BE-së, ku përveç numrit të punëtorëve, merret parasysh edhe qarkullimi vjetor.
Në tabelë është dhënë spektri i ndërmarrjeve të regjistruara në Kosovë në
bazë të numrit të punëtorëve.[305]
Aktivitetet ekonomike më të preferuara edhe gjatë këtij tremujori ishin me 793 ndërmarrje (31.7%), pasuritë e patundshme dhe rënia me qira me 322(12.9%), industria përpunuese me 278(11.01%), hotelet dhe restorantet me 245 (8.9%), transporti, depot dhe telekomunikacioni me 175 ndërmarrje (7.0%), bujqësia, gjuetia dhe pylltaria 149 (6.0%). Ndërsa akivitetet tjera marrin pjesë në shkallë më të vogël.[306]

Kategoria e numrit të punësuarve nga 1-4 (të punësuar) përbën rreth 2428 ndërmarrje apo 97.0% të ndërmarrjeve të reja, kategoria me 5-9 me 58(2.3%), kategoria me 10- 19 me 13 (0.5%), kategoria me 20-49 me 3 ndërmarrje (0.1%), kategoria me 50-49 me vetëm 2 ndërmarrje, ndërsa në kategorinë e fundit me 250 e më shumë të punësuar nuk është asnjë ndërmarrje e re e rëgjistruar në këtë tremujorë.
Sa i përket shtrirjes së ndërmarrjeve të reja nëpër komuna të reja edhe në këtë tremujorë mbizotëron Prishtina me 681 sosh, Prizreni dhe Ferizaj kanë numër të njëjtë me nga 196, Gjilani me 147, Peja me 131 sosh, Mitrovica me 119, Gjakova me 109, ndërsa komunat tjera kanë numër më të vogël të ndërmarrjeve të reja gjatë këtij tremujori.
Sigurisht që lloji i pronësisë i paraqitur më lartë paraqet mangësitë e NVM-ve në Kosovë, sepse
tregon hezitim të pronarëve të NVM-ve për bashkimin e kapitalit financiar dhe njerëzor në forma më të avancuara të biznesit.

Analiza SWOT për Sektorin e NVM-ve

Përparësitë u referohen mundësive apo aftësive të cilat mundësojnë dhe lehtësojnë zhvillimin e qëndrueshëm të NVM-ve. Si të tilla, ato janë shumë të rëndësishme sepse përparësia mund të përdoret për shfrytëzimin e të gjitha mundësive, për zbutjen dhe zvogëlimin e dobësive si dhe po ashtu edhe për reduktimin e kërcënimeve. Në kuptimin e zhvillimit të NVM-ve në Kosovë, gjer më tani janë identifikuar 18 përparësi të ndryshme. Pjesa dërmuese e këtyre përparësive kanë të bëjnë me rritjen e

[305] http://www.scribd.com/doc/137422883/Strategjia-e-zhvillimit-te-NVM-ve-ne-Kosove
[306] http://www.kosovapress.com/sq/ekonomi/bie-numri-i-ndermarrjeve-dhe-bizneseve-te-reja-1065/

vazhdueshme të Bruto Prodhimit Vendor (BPV), kostos së ulët të fuqisë punëtore të shkolluar dhe me moshë të re, miratimin e Aktit për Biznese të Vogla (ABV) si dhe rritjen e shkallës së harmonizimit të politikave kosovare për NVM-të me NVM-të e Bashkimit Evropian (BE).

Dobësitë janë mungesa apo deficite substanciale të cilat e pengojnë rritjen, zhvillimin dhe mbijetesën e NVM-ve. Janë identifikuar një numër i tërësishëm prej 33 dobësish të ndryshme dhe më kryesoret prej tyre janë mungesa e një kornize të qartë strategjike për zhvillimin e mëtejshëm të NVM-ve si dhe korniza e pafavorshme legjislative për fillimin e bizneseve të reja siç është vënë re edhe në raportin e BB-së për zhvillimin e biznesit.

Mundësitë janë shanse dhe raste të mira të cilat janë në dispozicionin e NVM-ve në funksion të zhvillimit dhe të rritjes së tyre të mëtejshme. Gjatë zhvillimit të analizave SWOT gjithsej janë identifikuar 35 mundësi të ndryshme. Këto mundësi kryesisht lidhen me mundësinë e Kosovës për t'iu bashkëngjitur Bashkimit Evropian – BE-së, Organizatës Botërore të Tregtisë – OBT-së si dhe përmirësimit të shkallës së implementimit të CEFTA-s. Për më tepër, ngritja e shkallës së eksporteve, zhvillimi tepër i shpejtë i sektorit të komunikimeve elektronike dhe prokurimi i
mallrave dhe i shërbimeve në procesin e biznesit, janë vetëm disa prej mundësive të cilat do të mund të shfrytëzoheshin nga ana e NVM-ve në Kosovë.

Kërcënimet paraqesin sfida të jashtëzakonshme, të cilat do të mund të pengonin apo linin prapa një përparësi të identifikuar apo do të mund të përshpejtonin një dobësi të caktuar duke penguar në këtë mënyrë shfrytëzimin e mëtejshëm të mundësive të llojllojshme. Situata e paqëndrueshme politike, shkalla në rritje e korrupsionit si dhe legjislacioni i dobët për përmbarimin e kontratave, pastaj niveli i lartë i varfërisë janë vetëm disa nga numri i tërësishëm prej 14 kërcënimesh në fushën e zhvillimit të NVM-ve në Kosovë.

Faktorët kryesorë të falimentimit të NVM-ve

Kohëve të fundit menxherët e bizneseve të vogla shpesh përballen me një sërë problemesh të cilat janë unike, por rreziku më i madh me të cilin ballafaqohen ata është falimentimi i biznesit. Është fakt që aktualisht niveli i falimentimit të bizneseve të vogla është i lartë.
Janë me qindra biznese të reja që stratojnë çdo vit në botë, por fatkeqësisht më pak se gjysma e tyre janë të suksesshme. Përgjithësisht, më shumë se 50% e bizneseve të reja falimentojnë Brenda pesë viteve të para të aktivitetit të tyre , ndërsa në Europë nga të gjitha bizneset e ngritura rishtazi mbijetojnë 87% e bizneseve në vitin e parë të jetës së tyre, 68% për rreth tre vjet, dhe 55% mbijetojnë deri në fund të vitit të pestë.307

Dy nga shkaqet kryesore të dështimit të bizneseve janë:

Mungesa e ekspertizës në fushën manaxheriale. Rëndësia e veçantë e menaxhimit dhe e menaxherëve të aftë është provuar me dhjetëra e qindra herë nga praktika e biznesit botëror. Shpesh faktori vendimtar për suksesin apo dështimin e biznesit ka qenë roli dhe kompetenca profesionale e ekipit menaxherial. Në Kosovë, ashtu sikurse në vendet tjera, kalimi drejt një ekonomie të mbështetur në principet e ekonomisë së tregut, shtroi si domosdoshmëri edhe një rikonceptim të përmbajtjes dhe rolit të menaxherit, të cilit do t'i duhej të orientohej e të ishte i suksesshëm në një fushë ku loja luhej sipas një tërësie rregullash pothuajse të panjohura prej tyre. Në këtë këndvështrim , mund të themi se menaxhimi ishte një shkencë e profesion i ri, të cilën për të qenë efektiv në punën e tyre, menaxherët kosovarë duhet ta mësonin nga e para.

Aftësitë e kufizuara financiare. Jo rrallë, shumë nga problemet me të cilat ballafaqohen firmat e vogla e që çojnë deri në falimentim është aftësia e kufizuar financiare. Sipas literaturës së kësaj fushe, gati 60% e financimeve të bizneseve të vogla vjen nga burimet vetjake të sipërmarrëseve. Në jo pak raste të tjera, burim financimi janë kursimet e të afërmve dhe të njohurve të tyre. Madje, në disa vende,

[307] Prof.Dr Shyqri Llaci,Manaxhimi,Tiranë 2010,Fq 31

duke përfshirë edhe vendin tonë, të ardhurat e këtyre njerëzve që punojnë si emigrant në vendet tjera kanë përbërë një nga burimet kryesore të financimit të bizneseve të tilla. Pra, është e qartë se firmat e vogla kanë më pak mundësi për të kompensuar investimet e këqia sesa bizneset e mëdha, për rrjedhojë investimet e bëra prej tyre janë më të riskuara. Kjo ndikon negativisht edhe në aneksin e tyre ndaj kredive bankare. Në fakt, problemet financiare me të cilat ballafaqohen bizneset e vogla janë më të mprehta sidomos për ato lloj biznesesh që janë shumë të vogla. Edhe bankat në përgjithësi e shohin si një investim me risk dhënien e kredive për këto biznese.

Konkluzione dhe rekomandime

Kosova gradualisht po përgatitet për sfidat që zakonisht janë përballur vendet që janë apo kanë kaluar periudhën e tranzicionit si, transferi i dijes dhe teknologjisë, absorbimi i fondeve dhe distribuimi i tyre, thithja e investimeve të huaja, anëtarësimi në mekanizmat dhe institucionet kryesore ndërkombëtare. Në këtë rrugëtim mbështetja e komunitetit ndërkombëtar edhe më tej do jetë shumë e mirëseardhur po edhe institucionet e Kosovës, Kuvendi, Presidenca, Qeveria dhe gjithë mekanizmat brenda shoqërisë kosovare do të punojnë me përkushtim dhe profesionalizëm për t'i krijuar popullit të Kosovës një perspektivë evropiane, ku qytetarët e saj do të ndjehen të lirë dhe të barabartë.
Zhvillimi i Sektorit të NVM-ve në Kosovë ka bërë një progres të padiskutueshëm. Ambienti që rrethohet dhe vepron jo gjithherë ka qenë miqësor dhe i favorshëm për këtë sektor. Pesë vite pas lufte mund të themi se sektori i NVM-ve ka një prirje kah stabilizimi dhe veprimi normal. Shumë indikatorë që menjëherë pas lufte frynë të arriturat e këtij sektori tani po vijnë dhe po stabilizohen. Prirjet e ndërmarrësve për përfitime të lehta dhe të shpejta gradualisht po zëvendësohen me qëndrime përmbajtjesore dhe pritje reale të mbështetura kryesisht mbi zhvillimet e tregut, ku dominon raporti mes ofertës dhe kërkesës.
Në literaturën e sotme analizohet dhe debatohet shumë mbi shkaqet e dështimit të bizneseve në përgjithësi e sidomos të biznesit të vogël dhe të mesëm për shkak të rëndësisë dhe vendit që zënë në kuadrin e ekonomisë kombëtare të një vendi. Shpesh trajtohet një diapazon i gjerë faktorësh, sikurse janë shitjet e pamjaftueshme, fitimi i vogël, shpenzime të larta të akiviteteve ekonomike, mashtrimet, etj.
Rol të rëndësishëm të zhvillimit të tyre kanë asociacionet e ndryshme ekonomike, si odat ekonomike, shoqatat afariste, format e kooperimit ndërmjet NVM-ve dhe korporatave, zhvillimi i franqizës, joint-venture, dhe inkubatorëve.
Vlerësohet se efikasiteti ekonomik do të arrihet përmes përmirësimit të udhëheqjes dhe aftësisë për përshtatshmëri ndaj kushteve të reja të afarizmit, përmes motivimit të punëtorëve, rritjes së prodhimit, aftësisë vetëfinancuese dhe zhvillimit. Për realizimin e këtij modeli nevojitet ndërtimi i sitemit ekonomik, krijimi i klimës së përgjithshme dhe kushteve makroekonomike, si dhe krijimi i infastrukturës institucionale.

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PROF. ASOC. DR. BRILANDA BUSHATI, PROF.AS.DR. ELEZ OSMANI – RENDESIA E PERDORIMIT TE SISTEMEVE TE INFORMACIONIT NE BANKA. (RASTI BANKA E SHQIPERISE)

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Abstrakti

Në këtë punim paraqitet roli dhe rëndësia ë përdorimit të TI dhë kryesisht të sistemeve të informacionit në sistemin bankar. Shekulli i ri do të sjellë një konvergjencë gjithëpërfshirëse të kompjuterit, komunikimit, të informacionit, informatikës, dhe njohurive. Kjo do të ndryshojë rrënjësisht mënyrën se si jetojmë, punojmë, dhe mendojmë. Rritja e rrjeteve me shpejtësi të lartë, shoqëruar me kosto në rënie të pushtetit te kompjuterit, është duke bërë të mundshme aplikime te pa ëndërruara në të kaluarën. Zëri, të dhënat, imazhet, dhe videot tani mund të transferohen rreth botës në mikro- sekonda. Ky shpërthim i teknologjisë po ndryshon industrinë bankare prej letres dhe degëve të bankave në " shërbimeve të digjitalizuar" dhe rrjete sherbimi bankare. Ajo ka ndryshuar tashmë dhe kontabilitetin e brendëshëm dhe sistemet e menaxhimit të bankave. Ajo tani është duke ndryshuar rrënjësisht sistemet qe bankat përdorin për të bashkëvepruar me klientët e tyre. Në të gjithë botën, bankat janë ende duke luftuar për të gjetur një zgjidhje teknologjike për të përmbushur sfidat e një mjedisi qe eshte në ndryshim të shpejtë. Është e qartë se kjo teknologji e re po ndryshon industrinë bankare përgjithmonë. Bankat me aftësinë për të investuar dhe integruar teknologjinë e informacionit do të dominojë mjaft në tregun konkurrues global. Bankieret janë të bindur se duke investuar në IT është e rendesishme. Potenciali i TI dhe pasojat për të ardhmen e industrisë bankare është i madh.

Teknologjia dhe Transformimi i Bankave

Kompjuterat janë duke u bere më shumë të sofistikuar. Ata i kanë dhënë bankave një potencial qe ata vetëm mund të ëndërronin dhe u kanë dhënë shpresa të mëdha klientëve te bankës. Ndryshimet që teknologjitë e reja kanë nxjerrë në sektorin bankar janë enorme në ndikimin e tyre mbi zyrtarët, punonjësit dhe klientët e bankave. Përparimet në teknologji kanë lejuar për ofrimin e produkteve dhe shërbimeve bankare më të përshtatshme dhe efikase se kurrë më parë - duke krijuar kështu bazat e reja të konkurrencës. Qasje të shpejtë në informacione kritike dhe aftësia për të vepruar shpejt dhe në mënyrë efektive do të dallojë bankat e suksesshme ne të ardhmen. Banka fiton një avantazh konkurrues jetik nga të paturit e një marketingu të drejtpërdrejtë dhe të përgjegjshëm ne nje mjedis të shërbimit të klientit dhe proçeseve të reja të njësuara te biznesit. Menaxhimi i qëndrueshëm dhe sistemet e mbështetjes vendimit i sigurojnë bankave një avantazh konkurrues për të ecur përpara në tregun bankar.

Ndikimi i SI në efiçencën e bankave

Interneti na jep një kanal për bizneset për të mundësuar produkte dhe shërbime te konsumatorët. Për kompanitë që japin shërbime, duket natyrale që adaptimi i kësaj teknologjie do të jetë më e mirë për të arritur klientët, si edhe për ti dhënë një shërbim më të mirë, dhe kjo duhet të rezultojë në një performancë më të mirë. Por nga ana tjetër konsumatorët thjesht mund të hyjnë dhe të mbledhin informacione rreth produkteve, dhe më pas të bëjnë një krahasim çmimesh midis tyre. Kjo do të çonte në një konkurrencë me veten,edhe nëse e ka një treg të gatshëm. Në këtë rast kjo lloj metode mund të rezultojë në drejtimtë kundërt me qëllimin e kompanisë.Vendi ku vendosja e teknologjisë do të kishte

më tepër ndikim do të ishte industria e bankave. Nga vëzhgime të shumta është parë se bankat rajonale me mundësi transaksionesh me internet duket se janë më efektive. Teorikisht kjo mund të shpjegohet si shkak i ekonomive të shkallëve që vijnë nga një kanal i "internet banking".
Sistemet e informacionit në Shqipëri[308]

Historik

Po bëjmë një renditje kronologjike të ecurisë së zhvillimit të teknologjisë së informacionit dhe sistemeve të informacionit në Shqipëri:

•Periudha e parë (1986)
-Themelimi i INIMA / INSTAT, institucionet e vetme që merreshin me mbledhjen e informacioneve nga e gjithë Shqipëria (hidroçentralet, nafta, etj..)si edhe perpunimin dhe studimin e tyre

•Periudha e dytë (1990)
-Krijimi i linjave të para të komunikimit të të dhënave me jashtë, kjo përsëri njëiniciativë e INIMA, duke krijuar edhe sistemin e parë email në Shqipëri.

• Periudha e tretë (1992 – 1996)
-Shtimi i përdorimit të kompjuterave në administratën shtetërore
-Mungesa e tyre në bizneset shqiptare

•Periudha e katërt(1998 – 2000)
-Fillimi i përdorimit të kompjuterave nga bizneset shqiptare
-Themelimi i kompanive si IMB, Infosoft, Datech, CCS etj, gjenerata e parë ekompanive në sektorin e teknologjisë së informacionit

• Periudha aktuale(2000 – aktualisht)
-Zgjerimi i përdorimit të sistemeve të informacionit nga bizneset shqiptare
-Shtimi i numrit të firmave që krijojnë e tregëtojnë software dhe i atyre që ofrojnë hardware
-Gjithashtu në këtë kohë shihet një bum i softwarëve të importuar nga jashtë,dhe që tashmë përdoren në të gjitha kompjuterat që ndodhen në bizneset e ndryshme dhe në përdoruesit e thjeshtë.

Zhvillimet e mësiperme kanë ardhur edhe si rezultat i zhvillimeve socio-ekonomike të mëposhtme:
•Rritja e numrit të bizneseve dhe e konkurrencës
•Rritja e bashkëpunimit dhe e konkurrencës me firmat e huaja
•Fokusimi i bizneseve tek cilësia e produkteve apo shërbimeve që ofrojnë
•Rritja e numrit te specialistëve në fushën e teknologjisë së informacionit, shkencavekompjuterike, elektronikës etj.
•Ndryshimi i strukturës organizative të bizneseve duke patur tashmë një departament të vecantë për teknologjinë e informacionit (IT) Aktualisht më pak se 25% e bizneseve shqiptare përdorin sisteme informacioni të bazuara në kompjuter. Bizneset e mëdha janë pothuaj të vetmet që e perdorin teknologjinë e informacionit në menyrë eficiente.

Pse ndodh kështu?
•Mungesa e njohurive të përgjithshme dhe të sakta rreth fushës së teknologjisë sëinformacionit
•Mospërshtatja e stafit me zhvillimet e reja të teknologjisë së informacionit
•Kostot fillestare të larta të aplikimit të saj
•Mosbesimi në teknologjinë e informacionit
• Kushtet që ekzistojnë në Shqipëri. Këto e kanë bërë më të vështire mbijetesën e bizneseve në një treg që gjithmonë e më tepër bëhet më konkurrues. Kjo i ka ndërlikuar të gjitha proceset e biznesit që mund të jenë: prodhimi, shitja, menaxhimi dhe sidomos mbajtja e regjistrimit të ecurisë se biznesit, pra kontabilitetit. Për këtë arsye është e nevojshme që drejtuesit e kompanive të marrin njohuritë e

[308] Igli Hakrama, Erjon Zoto Ekonomiksi_i_shoqërisë_së_informacionit, 31 Maj 2009

nevojshme rreth zhvillimeve të fundit dhe mundësine e aplikimeve të teknologjisë së informacionit në kompanitë e tyre. Ekziston vërtet vështirësia fillestare e aplikimit të saj,sidomos për bizneset e vogla e të mesme, që lidhet me kostot e larta fillestare, përshtatja optimale me aktivitetet e biznesit, përshtatja e stafit me menyrën e re të kryerjes së punës dhe përshtatja me zhvillimet e vrullshme në teknologjinë e informacionit.Nje faktor tjetër i rëndësishëm janë edhe kushtet në të cilat do të përdoren pajisjet teknologjike, si p.sh. energjia elektrike që, në gjendjen aktuale ku ndodhet Shqipëria, nuk lejojnë shfrytëzimin maksimal dhe zhvillimin e teknologjisë së informacionit.

Ndikimi i Teknologjise së Informacionit në Sistemin Bankar në Shqipëri

Zhvillimet e fundit teknologjike në botë, kanë ndikuar edhe në Shqipëri duke prekur padyshim edhe Sistemin Bankar309. Aplikimet e kësaj teknologjie i ndien edhe një klient i zakonshëm, i cili kryen një veprim fare të thjeshtë pranë çdo sporteli të cilësdo prej bankave që veprojnë në tregun shqiptar. Aplikimi i Teknologjisë së Informacionit në bankë ka një ndikim dhe përparësi të padiskutueshme në të gjitha proceset si në vendimmarrje, në prodhim, në vjelje dhe në kontroll të informacionit, në rritjen e efektivitetit të operacioneve, në rritjen e cilësisë së shërbimit te klientët e saj si dhe në rritjen e kontrollit mbi të gjitha aktivitetet. Roli i Tekonologjisë së Informacionit është një pozicion qendror për institucionin, aktiviteti i të cilit është përgjithësisht i orientuar rreth informacionit. Teknologjia e Informacionit po shndërrohet në mënyrë të shpejtë në një mjet komunikimi dhe integrimi midis funksioneve të brendshme të institucionit, ndërkohë që burimet e brendshme po përshtaten për të mundësuar rritje të infrastrukturës teknologjike.

Përdorimi IT-së (Information Technology-Teknologjia e Informacionit), përgjithësisht referuar kompjuterave dhe pajisjeve periferike infokomunikuese, është sot mëse i domosdoshëm dhe mjaft efektiv në ofrimin e produkteve të reja bankare. Interneti (internet banking), pagesat elektronike, shkëmbimet në tregjet financiare, falë IT-së janë ndër produktet 'hi-tech' që një bankë ofron sot në mbarë botën.

Në përgjithësi studimet e kryera nxjerrin përfundimin në dy efekte pozitive për marrëdhënien ndërmjet produktivitetit bankar dhe IT-së. E para është se IT redukton kostot operacionale të një banke (faturat e paguara 'online') duke krijuar transaksione standarde me vlerë të ulët. Kjo bën që bankat të përqendrohen në transaksione të specializuara me vlerë më të lartë në shërbim të një ndryshimi të ndjeshëm në ekonomi (investment banking). E dyta, falë IT-së thjeshtohen shërbimet e transaksioneve ndaj klientëve kudo që të jenë. Për të kuptuar këtë mjafton të përmendim shërbimin e ATM-ve (automated teller machines). ATM-të janë të shpërndara gjeografikisht në hapësira të mëdha, madje kudo në botë gjendet një rrjet ATM që u mundëson klientëve aksesin në llogarinë e tyre. Por jo vetëm kaq, shërbimi ATM-ve ofron mundësi të ndryshme pagesash dhe transaksionesh, megjithëse për bankat në Shqipëri mbetet vetëm tërheqja 'cash' e parave.310

IT në sistemin bankar në Shqipëri

IT në sistemin bankar në Shqipëri u mundëson bankave të kryejnë një shërbim në një nivel deri diku të pëlqyeshëm. Mbetet shumë për të bërë sidomos lidhur me trajnimin dhe kualifikimin që duhet t'i bëjnë bankat personelit të tyre në përdorimin e teknologjive të reja që zbatojnë. Ndërmjarrja e këtyre kualifikimeve duhet të bëhet nga departamenti i Teknologjisë së Informacionit. Është e rëndësishme të theksohet se në Shqipëri, departamente të tilla në sektorin bankar jo gjithmonë e mundësojnë këtë. Si rezultat kjo sjell shpeshherë ulje të produktivitetit dhe shërbime jocilësore ndaj klientëve, duke hasur thuajse gjithmonë në vonesa apo radhë të gjata për veprime fare të thjeshta në sportelet e një banke.
Industria bankare, krahasuar me industri si ajo agrikulturore apo të tjera, ofron një diversitet të lartë në fushën e shërbimeve ndaj klientëve. është e rëndësishme të kuptohet së çfarë arritje ka përdorimi sa më i mirë i teknologjive të reja dhe se si ndikon IT në reduktimin e kostove të një banke.

[309] http://www.monitor.al/teknologjia-e-informacionit-banka-me-nje-te-klikuar-4558/#
[310] http://www.monitor.al/teknologjia-e-informacionit-banka-me-nje-te-klikuar-4558/#

Për bankat, individualisht, përshtatja e IT-së ka dy efekte, reduktimi i kostove operacionale dhe krijimi i efektit të rrjetit në shërbimin ndaj klientit. Dhe është e sigurtë që efektet janë pozitive. Por nëse të gjitha bankat në industri kanë të njëjtin akses në teknologjinë e ruajtjes dhe menaxhimit sa më të mirë të kostove, a do të zhdukë kjo kostot operacionale, në veçanti konkurrencën e çmimeve në industrinë bankarer A do të sjellë prania e një rrjeti të gjerë përfitime për secilën bankë? Përdorimi i IT-së i drejton bankat në një ulje të kostove, por efekti në përfitim mbetet jovendimtar për shkak të efektit të mundësive të zhvillimit të rrjetit që varet nga konkurrenca në shërbimet financiare. Shpikjet në fushën e teknologjisë së informacionit, globalizimi dhe tregu i lirë në industrinë bankare mund të ulin rrjedhën e të ardhurave të bankave dhe në këtë mënyrë ndikon në dinamikën e industrisë bankare.

Sistemi i Informacionit ne Banken e Shqipërisë311

Në përpjekje për të ndërtuar portretin e një banke qendrore moderne, Banka e Shqipërisë, nëpërmjet Departamentit të Teknologjisë së Informacionit, ka realizuar një zhvillim të dukshëm në fushën e teknologjisë së informacionit dhe të komunikimit. Ky zhvillim konsiston në zgjerimin e sistemeve të informacionit, rikonceptimin e sistemit të komunikimit të brendshëm dhe të jashtëm, zgjerimin e burimeve njerëzore si dhe zhvillimin profesional të tyre.

Departamenti i teknologjisë së informacionit është përgjegjës për mirëmbajtjen e infrastrukturës informatike të Bankës së Shqipërisë, për organizimin, drejtimin, realizimin dhe zhvillimin e projekteve informatike si dhe për përmirësimin e aplikimeve informatike bankare, në bashkëpunim me departamentet e tjera. Gjatë kësaj periudhe, ky departament ka realizuar me sukses një sërë projektesh si dhe ka përmirësuar më tej shumë sisteme informatike dhe aplikime bankare. Disa nga këto arritje kanë të bëjnë me:

1) vënien në funksionim të një numri të madh sistemesh specifike;
2) krijimin e një infrastrukture të brendshme, të mbështetur nga fjala e fundit e teknologjisë;
3) krijimin dhe zgjerimin, në mënyrë të vazhdueshme, të komunikimit elektronik bazuar në teknologjinë e postës elektronike (e-mail), "internet" si dhe krijimin dhe zhvillimin e faqes WEB të Bankës;
4) implementimin e sistemit të menaxhimit të tregtimit dhe kontabilitetit – ATM;
5) implementimin e sistemit ndërbankar të shlyerjes së pagesave bruto në kohë reale – AIPS;
6) implementimin e sistemit ndërbankar të kryqëzimit të pagesave të vogla – AECH;
7) zgjerimin dhe shtimin e sistemeve të sigurisë dhe mbrojtjes së brendshme të informacionit;
8) implementimin e sistemit të sigurisë fizike dhe elektronike të ambienteve të teknologjisë së informacionit.

Sot, teknologjia e informacionit nuk konsiderohet më vetëm si mjet ndihmës në automatizimin e proceseve, por si ofrues shërbimesh dhe instrumentesh të reja, manualisht të pazëvendësueshme. Në këtë fokus, disa nga zhvillimet e teknologjisë në Bankën e Shqipërisë, për një periudhë afatshkurtër deri afatmesme, do të synojnë në:
• aplikimin gjerësisht, të standardeve ndërkombëtare të sigurisë së informacionit;
• zgjerimin dhe shtrirjen e infrastrukturës së komunikimit në degët e Bankës në rrethe, në ambientet e reja dhe lidhjen me ministrinë e financave;
• automatizimin e operacioneve, të cilat janë pjesërisht apo totalisht manuale.
Gjatë viteve të fundit, Banka e Shqipërisë ka realizuar një shndërrim të madh lidhur me çështjet e teknologjisë së informacionit. Ky shndërrim konsiston si në zgjerimin e sistemeve të informacionit, rikonceptimin e sistemit të komunikimit të brendshëm dhe të jashtëm, zgjerimin e burimeve njerëzore si dhe në zhvillimin e organizimit të tyre. Gjatë kësaj periudhe janë: (1) futur në funksionim një numër i mash sistemesh specifike (2) është krijuar një infrastrukturë e brendshme e mbështetur nga fjala e fundit e teknologjisë, (3) është krijuar dhe zgjeruar në mënyrë të vazhdueshme komunikimi elektronik bazuar në teknologjinë e postës elektronike (e- mail), "Internet" si dhe është krijuar dhe

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zhvillluar faqja WEB e Bankës se Shqipërisë; (4) është implementuar sistemi ATM dhe janë; (5) zgjeruar dhe rritur sistemet e sigurisë dhe të mbrojtjes së brendshme të informacionit.
Aktualisht, numri i kompjuterave personalë dhe përdoruesve të tyre, në vitet e fundit është rritur me 3 herë, numri punonjësve dhe i specialistëve të Teknologjisë së Informacionit është rritur 2.5 herë, numri i sistemeve është rritur me 10 herë, ndërkohë që investime të ngjashme janë kryer në infrastrukturën teknike.
Për të përballuar ritmet e rritjes dhe për të garantuar uljen dhe minimizimin e rreziqeve që lidhen me të, janë ndërmarrë një sërë masash. Si të tilla mund të përmendim: (1) miratimin e "Politikës së sigurisë së informacionit", (2) krijimin e Komitetit të Strategjisë së TI, (3) krijimin, brenda strukturës organizative të departamentit të pozicionit të "Administratorit të Projekteve", (4) krijimin e "Zyrës së Kontrollit dhe Sigurisë".

Konkluzione

⇨ Banka e Shqipërisë është një institucion qendror dhe pa qëllim fitimi, me detyrat e saj kryesore të përcaktuara në ligj.
⇨ Pozicioni qendror e vendos atë larg konkurrencës direkte, por megjithatë, nevojat e saj të zhvillimit kanë në bazë realizimin me eficiencë e efektivitet të detyrave ligjore, mbështetjen dhe mundësimin e vazhdueshëm të rritjes së sistemit bankar në Shqipëri.
⇨ Në këtë kontekst, Banka e Shqipërisë kërkon të mbërrijë vizionin e mëposhtëm në fushën e Tekonologjisë së Informacionit:
⇨ "Tekonologjia e Informacionit do të mundësojë komunikimin e personelit, të klientëve dhe të publikut të Bankës së Shqipërisë, në çdo kohë, me mjetet dhe me informacionet e brendshme në mënyrë eficiente, të besueshme, të sigurtë."
⇨ Për të kryer si duhet funksionet e saj, ajo mbështetet në informacionin statistikor.
⇨ Lidhjet e ngushta të bankës qendrore me sistemin financiar si dhe futja e saj në detajet e agregatëve të parasë dhe të kredisë, e bëjnë atë të ketë përparësi në drejtimin e përpilimit dhe të botimit të këtyre të dhënave.
⇨ Banka qendrore mund të dërgojë të dhëna të nevojshme për llogaritë kombëtare ose statistika të tjera, në zyrat kombëtare të statistikave.
⇨ Në Bankën e Shqipërisë, bazuar në funksionet e saj si bankë qendrore, funksionojnë disa njësi që realizojnë përcaktimin e metodologjive si dhe punën konkrete për grumbullimin, kompilimin dhe shpërndarjen.

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YLVIJE BORIÇI – FONDET E INVESTIMEVE NE TREGUN FINANCIAR

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Abstrakti

Fondet e investimeve jane fonde qe institucionet financiare te specializuara grumbullojne nga investitoret e vegjel individuale, te cilet u besojne kursimet e tyre me shprese te nje rentabiliteti me te larte se format e tjera te investimit.
Fondi i pare i mirefillte u krijua ne vitin 1822 ne Belgjike pastaj ne SHBA rreth fundit te shek XIX. Te gjitha kompanite investuese te fillii ishin me fund te mbyllur. Me tu shitur aksionet e tyre njehere, nuk kishin ndonje fond te parashikuar si provizion per compensi, qe njihen ndryshe si fonde reciproke.

Fondet e investimeve drejtohen nga kompani professionale, drejtimi te cilat rregullon sherbimin e sistemit te regjistrimit te nevojshem per fondet dhe mbikqyr vendimet e drejtimit te portofolit.
Keto kompani drejtimi marrin nje kuote per sherbimet e drejtimit te portofolit te tyre. Fondet moderne u krijuan ne Massachusetts SHBA ne vitin 1928, vit ne te cilin keto fonde u bene publike (me fund te hapur). Keto investime arrijne te konkurrojne llojet e tjera te investimit sepse per te njejtin nivel risku ofrojne kthime me te larta. Investimet individuale jane me pak te pelqyeshme sepse kostoja e informacionit dhe komisionet qe ata duhet te paguajne jane relativisht te larta ndersa, ndersa investimi ne fond ofron nje ekspertize me te gjere dhe kosto me te ulet dhe eshte likuid. Cdo fond investimesh ne nje numer njesish te barabarta qe mund te quhet edhe numri i njesive ose numri i aksioneve te fondit te investimeve. Cmimi i seciles prej ketyre njesive varet nga cmimi i letrave me vlere ku eshte investuar fondi.

Kuptimi i fondit te investimeve

Fondet e investimit jane shume te rendesishem per zhvillimin e ekonomise dhe shoqerise sepse individe apo institucione te ndryshem investojne ne fond duke filluar nga te gjitha lehtesirat qe ofron ky fond qe lidhen me informacionin e bollshem, ekspertizen financiare dhe mund te investohet edhe me nje shume relativisht te vogel.

-Ato investojne ne portofole te mirediversifikuara, ne portofole asetesh
-Ato emetojne letra me vlere te vlerave nominale te shumellojshme dhe njekohesisht te tregtueshme.

Nga pikepamja e afatit te investimit te mjeteve, fondet e investimeve ndahen ne fonde te investimeve afatshkurter, te cilat kryejne investime ne letrat me vlere me afat me te vogel se nje vit, qe tregtohen ne tregun monetar dhe ne fonde te investimeve afatgjate qe kryejne investime ne letrat me vlere me afat me te gjate mbi nje vit ne tregun e kapitaleve. Dy investimet kryesore qe behen ne nje fond te tille jane zakonisht, investimi ne aksione dhe obligacione.

Fondet e investimeve kane marre nje zhvillim shume te gjere, ne vendet ish-socialiste keto fonde u zhvilluan per te privatizuar sektore te ndryshem te ekonomise.
Ne Shqiperi pas viteve 90 u krijua fondi Anglo-Adriatica i cili mblodhi bono privatizimi dhe synoi te merrte pjese ne privatizimin e sektoreve strategjike. Ky institucion eshte i specializuar per huadhenie afatgjate.

Fondet e investimeve jane institucione financiare, qe i sigurojne fondet nga nje numer i madh invetitoresh te cileve ne kembim u jepen aksionet e fondit. Nga ana tjeter kompania i investon keto

fonde te grumbulluara me qellim qe te arrije nivele te larta fitimi qe tu japе fitime invesitoreve dhe te siguroje fitimin e saj. Por edhe investimi ne fond nuk eshte pa risk sepse ne baze te ecurise se letres me vlere te cilen je posedues i saj nepermjet fondit, do te varet edhe fitimi nga kjo leter me vlere. Kjo varet edhe nga risku qe eshte i gatshem te marre persiper investitori. Risku leviz ne menyre te drejte me fitimin.

Çdo investitor mund te fitoje nga investimi ne fond ne tre menyra:

Fondi i investimeve mund te siguroje te ardhura ne formen e dividenteve dhe interesave nga letrat me vlere qe zoteron. Keto te ardhura u shperndahen investitoreve ne menyre te vazhdueshme, ne formen e dividenteve per kuotat qe ata zoterojne.
Cmimet e letrave me vlere qe zoterohen nga fondi mund te rriten. Kur nje fond shet nje leter me vlere, cmimi i se ciles eshte rritur, ai siguron nje te ardhur kapitali. Shumica e fondeve shperndajne kete te ardhur per investitoret ne fund te vitit.
Ne qofte se fondi nuk i shet, por i mban letrat me vlere, cmimi i te cilave eshte rritur, vlera e kuotave te fondit rritet. Rritja e vleres se kuotave do te thote nje vlere me e larte e investimit te investitoreve. Ne qofte se dikush shet kuotat, ai do te siguroje nje vlere me te larte ne krahasim me investimin e tij fillestar.

Fondi i investimeve i jep investitorit mundesi te zgjedhe: ose te marre dividentet dhe te ardhurat e tjera, ose t'i riinvestoje ato perseri ne fond duke blere kuota shtese.

Vlera e fondit varet nga llojshmeria e letrave me vlere qe ka fondi ne posedim dhe huaja e akumuluar:
Vlera e tregut te letrave me vlere ku eshte investuar – borxhet e fondit
Numri i pergjithshem i njesive te fondit.

Llojet e fondeve te investimeve

Fondet me fund te hapur, njihen edhe si fonde reciproke. Jane tipi me I perhapur I fondeve te investimeve. Keto fonde rrine te gatshme ne cdo kohe qe e blejne ose te shesin arsione e veta ne treg me cmimin e tregut ne cdo moment.
Fondet me fund te mbyllur, formohen me nje numer fiks aksionesh. Kapitali I krijuar ne fillim nuk mund te rritet pa marre me pare mirarimin e Asamblese se Pergjitshme te aksionereve. Pra investitoret e ketyre fondeve nuk mund ti shesin lehtesisht aksionet e tyre.
Fonde me ritme te shpejta rritjeje, keto jane fonde investimesh te cilat investohen zakonisht ne aksione qe mund te sigurojne norma te larta fitimi por qe mbartin dhe rreziqe te medha.
Fonde investimesh te ekuilibruara, ne keto fonde ekziston nje strukture e ekuilibruar e investimeve ne letrat me vlerete perbera nga aksione, obligacione dhe lloje te tjera letrash me vlere
Fonde investimesh te tregut monetar, keto fonde investohen vetem ne letra me vlere te tregut monetar te cilat nuk kane ndonje risk te larte, jene me afat te shkurter dhe kane rentabilitet relativisht te vogel.
Fonde investimesh te obligacioneve, keto fonde investohen ne lloje te ndryshme te obligacioneve, jane investime afatgjata, me rentabilitet me te larte por me nje nivel me te larte risku. Keto ndryshojne edhe sipas tipit te obligacioneve.
Fonde investimesh te specializuara, te cilat investohen ne aksione dhe obligacione te njesive ekonomike te nje dege te caktuar ekonomike ose te nje rajoni te caktuar te botes.
Fonde investimesh te indeksit, keto fonde nuk investohen ne ndonje leter me vlere por investohen ne vleren e indeksit te nje burse te caktuar, luhatja e te cilit varet nga luhatja e cmimeve te te gjitha letrave me vlere qe kuotohen ne kete burse.
Fonde investimesh ombrelle, keto fonde investohen ne fonde te tjera investimesh shume me te medha se vetja e tyre dhe prandaj u sherbejne si ombrelle mbrojtjeje.

Struktura e fondeve te investimeve

Zakonisht, nje fond investimi nuk eshte nje shoqeri aksionere, pra korporate. Por, si dhe ne rastin e cdo korporate, pasuria e fondit i perket investitoreve, te cilet gezojne te gjitha perfitimet. Ne ndryshim

nga shoqerite aksionere, te gjitha fondet e investimeve administrohen ne emer e per llogari te tyre nga shoqerite administruese.

Themeluesi.
Fondi i investimeve krijohet si shoqeri anonime. Keto shoqeri anonime (aksionere) mund te krijohen ne baze te nismes se lire te personave te ndryshem juridike, ose me nismen e shtetit. Ne rastin e pare fondi i investimeve krijohet nga grumbullimi i kontributeve ne para te personave te ndryshem me nje kapital themelimi mbi 20000$. Sot ligji nuk ka kufizime persa i perket numrit minimal te themeluesve te fondit te investimeve.

Kompania udheheqese.
Cdo fond investimi duhet te kete si udheheqes ne drejtimin e tij nje firme te licensuar, e cila shperblehet nga nje komision vjetor e bazuar kjo ne marreveshjen kontraktore. Ne ligj parashikohet se cdo fond investimi duhet te emeroje nje administrator I cili eshte nje subjekt jo I punesuar ne fond.

Depozituesi.
Kapitali i fondit te investimit duhet te jete i depozituar ne nje banke te nivelit te dyte ose ne nje institucion te ngjashem me te i cili ruan mjetet monetare dhe kryen te gjitha transaksionet monetare duke zvogeluar mundesine per abuzim.

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FATBARDHA MOLLA, PETER SARACI, ELIDIANA BASHI – ANALIZA E RISKUT TE ASETEVE DHE DETYRIMEVE NE BIZNESET SHQIPTARE

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Abstrakti

Menaxhimi i aseteve dhe detyrimeve (Asset Liabilities Management) mund të përkufizohet si një mekanizëm për të menaxhuar riskun me të cilin përballet një organizatë fitimprurëse për shkak të mospërputhjes midis aseteve dhe detyrimeve, për shkak të likuiditetit ose ndryshimeve në normat e interesit. ALM u përdor fillimisht nga institucionet financiare në vitet 1970, kur normat e interesit u bënë gjithnjë e më të paqëndrueshme. Kjo paqëndrueshmëri shfaqi efekte negative tek institucionet financiare.

Roli dhe veprimi i ALM-së mund të ndryshojnë në mënyrë të konsiderueshme nga një institucion financiar në tjetrin në varësi të modelit të biznesit të miratuar dhe mund të përfshijnë një zonë të gjerë të rreziqeve. Programet tradicionale ALM përqëndrohet në rrezikun e normës së interesit dhe të likuiditetit sepse ato paraqesin rrezikun më të madh që ndikojnë në bilancin e organizatës dhe kërkon koordinim midis aktiveve dhe pasiveve.
Por ALM e ka zgjeruar spektrin e saj të menaxhimit të riskut edhe përsa i përket menaxhimit të riskut të kapitalit dhe të riskut të këmbimit valutor.

Janë marrë për studim 10 kompani të ndryshme në mënyrë rastësore të Qarkut të Lezhës ku, kompanitë kanë tendencën që të financohen më shumë me detyrime sesa me kapital aksioner. Kthimet nga aktivet për kompanitë e marra në studim është relativisht i ulët. Sic shikohet edhe nga të dhënat kompanitë e marra për studim nuk i kanë problemet tek kthimet nga shitjet por problemet mund të qëndrojnë tek struktura e kapitalit dhe analiza paguese e kompanive. Nuk ekziston në fakt një strukturë financiare gjithmonë e vlefshme ashtu sic nuk ekziston nje strukture financiare e vlefshme për periudha të gjata. Një nga gabimet që bëjnë kompanitë është të financosh mjetet afatgjata me detyrime afatshkurtra. Ky gabim sjell rëndim të situatës në strukturën e kapitalit dhe sjell një ulje të aftësisë paguese të firmës.

Pra risqet duhen studiuar dhe manaxhuar dhe një nga metodat bashkëkohore që e bën një gjë të tillë është metoda e manaxhimit të aktiveve dhe detyrimeve ALM. Risqet kryesore që në mënyrë tipike menaxhohen nga ALM janë risku i likuiditetit, risku i normave të interesit dhe risku i monedhës.

Fjalet Kyce: Kthimi, Risku Financiar, Struktura E Kapitalit

Procesi i ALM-së

Proçesi i ALM kalon në nivele të caktuara dhe finalizohet me përcaktimin e parametrave të riskut. Ato janë:
1. Politikat e riskut që ndjek organizata dhe niveli i tolerancës ndaj riskut.
2. Menaxhimi i riskut
3. Matja e riskut
4. Identifikimi i riskut ose risqeve kryesore që ndikojnë mbi organizatën
5. Përcaktimi i parametrave të riskut

Nga ana konceptuale, politikat e ALM fokusohen në përfitueshmërine dhe qëndrueshmërinë afatgjatë dhe lidhet me tre kritere kyesore: marzhin neto të interesit (Net Interes Margin), të ardhurat neto nga interesi (Net Interes Income) dhe vlerën neto ekonomike (Net Economic Value), si kritere që kufizojnë pasqyrën financiare të bilancit.
E parë në një këndvështrim më të thellë, ALM është një teknikë e koordinimit të pjesëve përbërëse të pasqyrës së bilancit dhe menaxhimi i portofolit dhe jo menaxhim pjesë-pjesë i zërave të bilancit.
Përgjegjësia për ALM është e ndarë shpesh në mes të thesarit dhe CFO (Chief Financial Officer). Në organizatat më të vogla, procesi ALM mund të trajtohen nga një ose dy persona kyç (Shefit Ekzekutiv CEO, CFO ose thesarit).

Shumica dërrmuese e bankave vepron me një model të centralizuar ALM i cili mundëson mbikëqyrjen e konsoliduar të bilancit me njësi të nivelit më të ulët duke u përqëndruar në njësitë e biznesit ose personave juridik.
Ajo ka për qëllim kryesor arritjen e qëllimeve të përcaktuara në planet afatshkurtra dhe afatgjata strategjike si psh:
• Të sigurojë likuiditet të mjaftueshëm dhe koordinimin e të ardhurave nga interesi me shpenzimet e interesit
• Të hartojë dhe miratojë një plan emergjence
• Të shqyrtojë dhe miratojë politikën e likuiditetit dhe fondet e menaxhimit
• Përshtatja e politikave të fondeve me nevojat dhe burimet psh, miksi i detyrimeve kundrejt miksit të aseteve (ose shitjes së aseteve), fondet me norma fikse kundrejt fondeve me norma të ndryshueshme, financimi në tregun e parasë kundrejt financimit në tregun e kapitalit, fonde në valutë vendase kundrejt fondeve në valutë të huaj, etj.
Përsa i përket anës legjislative në lidhje me ALM, shumica e bankave globale kanë benchmark-et e tyre në bazë të udhezimeve të Komitetit të Bazelit për Mbikqyrjen Bankare “Parimet për menaxhimin dhe mbikëqyrjen e rrezikut të normës së interesit "(BCBS).
Risqet tipike të cilat menaxhohen nëpërmjet mekanizmit të ALM-së janë risku i likuiditetit, risku i normave të interesit dhe risku i monedhës. Megjithatë, ALM e ka shtrirë funksionin e saj edhe në fusha të tjera.

1. Risku i likuiditetit: risku aktual dhe risku i ardhshëm që rrjedh nga paaftësia e bankës për të shlyer detyrimet e saj kur ato maturohen duke cënuar kushtet financiare te bankës. Në prespektivën e AML – së, fokusi është në minimizimin e riskut të likuiditetit të bankës që do të thotë në aftësinë e tij për të përmbushur detyrimet e saj aktuale dhe të ardhshme të rrjedhave të mjeteve monetare dhe të nevojave për kolateral, te dyja si të pritura dhe të papritura. Ky mision kështu përfshin përcaktimin e një benchmark-u të likuiditetit të bankës në treg.

2. Risku i normave te interesit: risku i humbjes që vjen si rezultat i lëvizjeve në normat e interesit dhe impakti i tyre në flukset e ardhshme të parave. Në përgjithësi kjo mund të ndodh për shkak se një bankë mund të ketë një sasi disproporcionale të normave fikse ose të ndryshueshme në të dyja anët e bilancit. Një nga shkaqet kryesore janë mospërputhjet në drejtim të depozitave bankare dhe kredive.

3. Menaxhimi i rrezikut të monedhës: rreziku i humbjeve që rrjedhin nga lëvizjet në normat e shkëmbimeve në rastet kur zërat në aktiv dhe pasiv janë të shprehura në monedha të ndryshme ose kur flukset e pritshme të parave janë të shprehura në monedha të ndryshme.

4. Financimi dhe menaxhimi i kapitalit: për të siguruar ruajtjen e kapitalit të mjaftueshëm në mënyrë të vazhdueshme. Eshtë një proces dinamik dhe në vazhdim duke pasur parasysh nevojat në periudhë afatshkurtër dhe afatgjatë të kapitalit dhe është i koordinuar me strategjinë dhe ciklin e planifikimit të përgjithshëm të bankës (zakonisht një prespektivë kohore 2 vjet) dhe planifikimet për rritje.

5. Menaxhimi i riskut të kredisë: menaxhimi i gjithë portofolit të kredisë (duke përfshirë para të gatshme, investimet dhe kreditë) në bilanc.

6. Si përfundim, funksionimi i ALM-së mbulon komponentë që kanë të bëjnë me realizimin dhe monitorimin rregullave të brendshme në përputhje më kushtet dhe rregulloret e jashtme duke synuar optimizimin e pozitës së bilancit të organizatës dhe duke ndërhyrë kështu në aktivite aktuale të saj.

Sot, teknikat ALM janë zgjeruar dhe adoptuar nga korporatat dhe nga institucionet financiare të tjera përvec bankave dhe kompanive të sigurimit.

Teknikat e ALM-së

ALM si një mekanizëm i mbrojtjes nga risku, ofron mundësi për rritjen e vlerës neto. Tre janë konceptet kyesore që janë bazë për ushtrimin e teknikave të saj:
Të ardhurat neto nga interesi (NII)
Marzhi neto i interesit (NIM)
Vlera ekonomike

Net Interes Margin = (Të ardhurat nga interesi – Shpenzimet e Interesit) / Asete fitimprurëse

Prespektiva e vlerës ekonomike:

Ndryshueshmëria në treg e normave të interest ndikon edhe vlerën e tregut të aseteve, detyrimeve dhe pozicionit jashtë bilancit (Off Balance Sheet) të një banke. Prekpektiva e vlerës ekonomike konsideron efektin potencial të ndryshimit të normave të interest në vlerën prezente të të gjitha flukseve të ardhme të pritura.

Modeli GAP dhe ndjeshmëria e normave të interesit

Ky model mat shtrirjen e aseteve afatshkurtër dhe pasiveve afatshkurtër për shkak të mospërputhjes në maturim (ose metoda GAP). Aktivet dhe detyrimet janë të grupuara në klasa të caktura për sa i përket maturimit. Sipas metodës GAP për cdo klasë përcaktohet ndjeshmëria e normës së interesit për asetet (Rate Sensitive Assets) dhe ndjeshmëria e normës së interest për detyrimet (Rate Sensitive Liabilities) Nga ana matematikore ky model paraqitet:

GAP = RSAs – RSLs

Një GAP zero tregon se banka është e mbrojtur plotësisht nga rritjet dhe uljet në normat e interesit dhe NII nuk do të ndryshojë në të dy rastet. Dhe për rrjedhojë kjo do të ishte edhe zgjidhja më e mirë për një bankë.
Analiza baze e GAP-it kalon në një analizë më të thelluar ose në analizën e standartizuar të GAP-it e cila konsiston në analizën e shkallëve të ndryshmë të ndjeshmërisë ndaj normës së interesit për aktivë dhe pasivë me ndjeshmëri të ndryshme ndaj normës së interesit.

Cila janë alternativat e mundshme për të minimizuar riskun e normave të interesit (IRR)?Vlersërimi i riskut ka karakter subjektiv dhe varet edhe nga parashikimi që mund të bëjme duke ndikuar kështu edhe në marrjen e vendimit. Nëse sipas parashikimeve normat e interesit në të ardhmen do të ulen, nuk është e nevojshme për të ndërmarrë ndonjë veprim sepse rënia e normave të interesit është në favor të bankës. Në të kundërt duhen gjetur mënyra për të minimizuar riskun dhe efektet negative të ngjarjes.Parimisht dy janë alternativat:

1. Ulja e kohëzgjatjes së aktivit bankar (DUR asset duke rritur të ardhurat nga interesi dhe aktivi banker në këtë rast është më i ndjeshëm ndaj luhatjeve të normave të interesit.
2. Rritja e kohëzgjatjes së pasivit bankar (DUR liabilities) duke shtyrë kështu pagesën e interesave të detyrimeve.
VaR është një analizë e simulimit e cila i referohet humbjeve maksimale që një bankë ose institucion financiar mund të ketë në vlerë tregu ose në fitime:

Në një periudhë të caktuar kohe të dhënë
Mbi disa kushte tregu të dhëna
Në një nivel sigurie të caktuar

Pra analiza VaR bën të mundur llogaritjen e vlerës neto të organizatës në një kohë të caktuar dhe mundëson menaxherët të fokusohen në implikimin e vendimeve afatgjata në lidhje me riskun që janë marrë ose mendohet të merren në të ardhmen.
Përvec këtyre teknikave bazë përdoren edhe instrumentet derivative që ofrojnë tregjet financiare të cilat kombinohen me procesin dhe fazat e ndryshme të ALM-së.

Aftesia Paguese

Ndërmjet nivelit të përfitueshmërisë së aktivitetit të njësisë ekomomike dhe aftësisë së saj paguese ekziston një lidhje dhe ndërvarësi e rëndësishme, por ato nuk janë nocione identike. Për periudha afatgjata, aftësia paguese varet shumë nga niveli i përfitueshmërisë së aktivitetit të zhvilluar, sepse pa një aktivitet rentable asnjë njësi ekonomike nuk mund të sigurojë shumën e duhur të arketimeve per mbulimin e shpenzimeve të bëra dhe shlyerjen e huadhënësve ndaj njësisë ekonomike huamarrëse.
Nëqoftëse huadhënësit shohin se njësia ekonomike huamarrëse nuk ka madhësine e kënaqshme të kapitalit të vet për të siguruar në të gjitha rastet kthimin e kapitaleve te marra hua, atëherë ata nuk do të pranojnë që ti japin njësisë ekonomike hua të reja.Por, nëqoftëse kjo njësi nuk do të garantoje shlyerjen në kohë të interesave dhe të kësteve të huase, atëherë do të ndërpresin huadhënien ndaj kësaj njësie ekonomike.

Aftësia paguese e njësisë ekonomike,shkalla e likuiditetit të aktiveve të saj dhe niveli i përfitueshmërisë së aktivitetit që ajo zhvillon përcaktojnë në një masë të gjerë mbijetesën dhe ecurinë e njësisë ekonomike. Aftësia paguese e një njësie ekonomike përfaqëson aftësinë e saj për të përballuar shlyerjen në kohë të detyrimeve të veta afatshkurtra.
Në këtë rast duhet theksuar se përballimi i detyrimeve afatshkurtra të njësisë ekonomike konsiderohet se është bërë normalisht, nëqoftëse të gjtha aktivet e nevojshme për këtë qëllim janë siguruar nëpërmjet gjendjes së lëvizjes normale të aktiveve qarkulluese dhe të aktiveve të tjera që mund të kthehen me lehtësi në likuiditete, ose nëpërmjet burimeve suplementare afatshkurtra, pa marrjen e huave të paleverdishme e pa përmbysjen e programit të saj afatgjatë të zhvillimit.
Risku bazë para të cilit ndodhet njësia me një levë të konsiderueshme financiare, apo me strukturë të kombinuartë kapitalit në favor të buriimeve të huajtura është risku I gjendjes së pamjaftueshme të likuiditeteve.

Borxhi përfaqëson një angazhim për të paguar shpenzimet fikse në formën e interesave dhe të pagimit të principalit.Ndërsa, disa shpenzime fikse mund të shtyhen në kohë kur ka mungesë likuiditetesh, shpenzimet fikse lidhur me borxhin nuk mund të shtyhen pa patur kundërshtim me aksionerët dhe kreditorët e njësisë ekonomike.
Një njësi e tillë me shumë burime të huajtura përballet me riskun e humbjes së fleksibilitetit të financimit. Aftësia e njësisë ekonomike për të gjeturfondet e nevojshme dëmtohet kur ajo ka një levë financiare të lartë në favor të fondeve të huajtura, veçanarisht në periudha kur kushtet e tregut nuk janë të përshtatshme.

Gjendja e parasë për të përballuar bor ekonomike që ka përdorur levën financiare xhin është me rëndësi për një njësi duke marrë borxh. Risku bazë para të cilit ndodhet njësia me një levë të konsiderueshme financiare, apo me strukturë të kombinuartë kapitalit në favor të buriimeve të huajtura është risku I gjendjes së pamjaftueshme të likuiditeteve.
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financiare të lartë në favor të fondeve të huajtura, veçanarisht në periudha kur kushtet e tregut nuk janë të përshtatshme.
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Konkretisht janë marrë me munësitë e financimit për zgjerimin e aktivitetit të shoqërisë apo me studimin koeficientëve të kombinimit të kapitalevetë vëta me kapitalet e huaja. Me kombinimin optimal të kapitaleve nënkuptohet ruajtja e një strukture të tillë të kapitaleve të veta dhe të huajtura që siguron nga njëra anë rritje të përfitueshmërisë së kapitaleve të njësisë ekonomike huamarrëse dhe nga ana tjetër shlyerjen e garantuar të kapitaleve dhe të interesave që u takojnë huamarrësve.
Studiuesit e këtij problem I janë referuar studimit të raporteve faktike ndërmjet kapitaleve të veta dhe kapitaleve të huajtura. Në kushte normale njësia ekonomike duhet të perballojë nevojat për active të qëndrueshme të trupëzuara afatgjata me anë të kapitaleve të përhershme, dhe nevojat për active afatshkurtëra duhet ti përballojë me anë të detyrimeve afatshkurtra,të cilat kërkohen të shlyhen më shpejt.

Raportet kryesore të strukturës së kapitalit

Raportet e strukturës së kapitalit janë një mjet tjetër shumë I rëndësishëm I analizës së aftësisë paguese. Raporti që mat strukturën e kapitalit lidh përbërësit e strukturës së kapitalit me njëri tjetrin apo me totalin. Para se të llogarisim raportet duhet të jemi të kujdesshëm të kuptojmë secilin element të raportit.

Raportet e strukturës së kapitalit janë:
- Raporti i detyrimeve totale mbi kapitalin aksioner, i cili tregon peshën specifike të dëtyrimeve totale ndaj kapitalit të vet.
- Raporti totali i detyrimeve me totalin e kapitalit plus detyrimet, (i cili quhet raporti i borxhit total) shpreh peshën specifike të detyrimeve ndaj totalit të pasiveve.
- Raporti i kapitalit aksioner ndaj detyrimeve totale, i cili tregon garantimin ose jo të madhësisë së kapitaleve të huajtura me madhësinë e kapitaleve të veta.
- Raporti i EAN mbi shitjet i cili tregon fitimin neto që përfitohet për çdo lek shitje.
- Kthimi mbi aktivet gjithsej (ROI) i cili shpreh kthimin që përfitohet mbi aktivet gjithsej.
- Kthimi mbi kapitali aksioner (ROE) i cili shpreh fitimin neto që marrin aksionrët për kapitalin e investuar.

Raporti i detyrimeve totale mbi kapitalin aksioner = Detyrime totale / Kapital aksioner
Raporti i borxhit total = Detyrime totale / Pasive totale
Raporti i kapitalit aksioner ndaj detyrimeve totale = Kapital aksioner / Detyrime totale
Raporti i EAN mbi shitjet = EAN / Shitje
Kthimi mbi aktivet gjithsej (ROI) = EAN / Pasive totale
Kthimi mbi kapitali aksioner (ROE) = EAN / Kapital aksioner

Konkluzione

Nga studimi i 10 kompanive të ndryshme në mënyrë rastësore të Qarkut të Lezhës ku janë marrë perfundimet e punimit.

1. Me zhvillimin e tregjeve financiare dhe me rritjen e paqëndrueshmërisë së tyre, është rritur edhe ekspozimi i organizatave dhe institucioneve financiare ndaj risqeve të ndryshme. ALM ka lindur si nevojë e kohës për të menaxhuar riskun dhe për të minimizuar efektet negative të tij në përfitueshmërine dhe vlerë ekonomike të organizatës. ALM është një kornizë gjithëpërfshirëse dhe

dinamike për matjen, monitorimin dhe administrimin e rrezikut të tregut të një banke ose kompanie sigurime.

2. Risqet kryesore që në mënyrë tipike menaxhohen nga ALM janë risku i likuiditetit, risku i normave të interesit dhe risku i monedhës. Por ALM e ka shtrirë funksionin e saj edhe në fusha të tjera. Teknikat e menaxhimit të aseteve-detyrimeve kanë evoluar dhe është shoqëruar edhe me rritjen e përdorimit të derivateve në tregjeve të ndryshme financiare.

3. Aftësia paguese e njësisë ekonomike,shkalla e likuiditetit të aktiveve të saj dhe niveli i përfitueshmërisë së aktivitetit që ajo zhvillon përcaktojnë në një masë të gjerë mbijetesën dhe ecurinë e njësisë ekonomike. Aftësia paguese e një njësie ekonomike përfaqëson aftësinë e saj për të përballuar shlyerjen në kohë të detyrimeve të veta afatshkurtra

4. Kompanitë kanë tendencën që të financohen më shumë me detyrime sesa me kapital aksioner. Kthimet nga aktivet për kompanitë e marra në studim është relativisht i ulët. Sic shikohet edhe nga të dhënat kompanitë e marra për studim nuk i kanë problemet tek kthimet nga shitjet por problemet mund të qëndrojnë tek struktura e kapitalit dhe analiza paguese e kompanive.

Rekomandime

1. Mbajtja e riskut, është e pershtatshme për risqe me impakt te vogël dhe me mundësi të paktë ndodhjeje. Është e pashmangshme në ato raste kur është e pamundur të reduktohet apo te eleminohet risku. Shembull: çdo biznes ka riskun e zgjedhjes së përsonelit të gabuar, por kosto që vjen nga kjo mund të jetë më e ulët se kosto e ngritjes së një sistemi rekrutimi dhe shtesës në pagë/përfitime që mund të kërkojë një punonjës i mbikualifikuar

2. Shmangia, ndodh për ato raste kur mund ti shmangemi ndërmarrjes së një aktiviteti të caktuar duke mos marrë vendimin për mosinvestim. Shembull: Nëse risku i tregut (konkurencës) në një sektor të caktuar vlerësohet tepër i lartë, atëherë vendimi për të mos investuar (mos u futur) në atë sektor është ti shmangesh riskut.

3. Një nga detyrat e analistit është, studimi nëse veprimtaria e ndërrmarjes karakterizohet nga struktura financiare më e mirë e mundshme. Problemi nuk është i lehtë për tu zgjidhur, sepse, si te gjitha problemet e ndërmarrjes, është një problem dinamik.Nuk ekziston në fakt një strukturë financiare gjithmonë e vlefshme ashtu sic nuk ekziston nje strukture financiare e vlefshme për periudha të gjata.

4. Një nga gabimet që bëjnë kompanitë është të financosh mjetet afatgjata me detyrime afatshkurtra. Ky gabim sjell rëndim të situatës në strukturën e kapitalit dhe sjell një ulje të aftësisë paguese të firmës. Financimet për mjetet afatgjata duhet të bëhen ose me kapital aksioner ose me detyrime afatgjata, sipas niveli të interesit të huamarrjes dhe atij të fituar nda pronaret.

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PHD. (C) FATMIR HALILI – LEGISLATIVE PROCEDURE IN THE EUROPEAN UNION PROCEDURA LEGJISLATIVE NË UNIONIN EVROPIAN

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Abstract

As each organization have its own institutions and rules governing which works, so the European Union since its creation has created organs and operating rules. These rules and institutions have consistently changed by adapting to the changes that have occurred over time in the European Union. Undoubtedly, special roles in every organization have bodies that emit legal acts (laws) and decide on important issues of the organization. Thus, whenever talking about bodies that issue legal acts and decide on important issues primarily thought Parliament. This results from the fact, that in almost all countries of the world function of extracting the most important legal acts is attributed to Parliament as a representative body of the people. However, the European Union has not been given the legislative function only parliament, but there are three institutions that interact to legislate in the European Union: the European Parliament, the Council and the European Commission. This is one of the characteristics of the European Union, and this is due to supranacionalitetit and special organization that has the European Union, as well as changes that have occurred in continuity throughout the history of the European Union since 1951, when it signed the first fundamental treaty in Paris, known as the Treaty of the Economic Community for Coal and Steel (ECCS). In this paper are initially treated, in short way, institutions in general, and in particular in order to expand, legislative procedures, types of procedures, the European Union uses to extract acts. The paper aims at explaining the European Union's legislative procedure and inter-institutional cooperation in this procedure.

Keywords: Institution, Legislation, Procedure, Treaty, Regulation, Directive, etc.

Abstrakt

Si çdo organizatë që ka institucionet e veta qeverisëse dhe rregullat mbi të cilat funksionon, edhe Unioni Evropian që nga krijimi i tij ka krijuar organet dhe rregullat e funksionimit. Këto rregulla dhe institucione në vazhdimësi kanë pësuar ndryshime duke ju përshtatur ndryshimeve që kanë ndodhur gjatë kohës në Unionin Evropian. Pa dyshim, një rol të veçantë në çdo organizatë e kanë organet të cilat nxjerrin akte juridike (ligje) dhe vendosin për çështje të rëndësishme të organizatës. Kështu, sa herë që flitet për organet që nxjerrin akte juridike dhe vendosin për çështje të rëndësishme kryesisht mendohet Parlamenti. Kjo, rrjedh nga fakti, se gati në të gjitha shtetet e botës funksioni i nxjerrjes së akteve më të rëndësishme juridike i është atribuuar Parlamentit si organ përfaqësues i popullit. Në këtë kontekst, kur flitet edhe për organin më të rëndësishëm vendosës të Unionit Evropian, fillimisht do të mendohet për Parlamentin. Mirëpo, në Unionin Evropian, nuk i është dhënë funksioni ligjdhënës vetëm parlamentit, por janë tri institucione që bashkëveprojnë në nxjerrjen e ligjeve në Unionin Evropian: Parlamenti Evropian, Këshilli dhe Komisioni Evropian. Kjo është një nga karakteristikat e Unionit Evropian, dhe është e tillë për shkak të supranacionalitetit dhe organizimit të veçantë që ka Unioni Evropian, si dhe ndryshimeve që kanë ndodhur në vazhdimësi gjatë historisë së krijimit të Unionit Evropian, që nga viti 1951 kur është nënshkruar Traktati i parë themeltar në Paris, i njohur si Traktati për Bashkësinë Ekonomike për Thëngjill dhe Çelik (BETHÇ). Në këtë punim janë trajtuar fillimisht, në mënyrë të shkurtër, institucionet në përgjithësi, dhe në veçanti në mënyrë të zgjeruar, procedura legjislative, llojet e procedurave që Unioni Evropian përdorë në nxjerrjen e akteve juridike. Punimi ka për qëllim shpjegimin e procedurës legjislative të Unionit Evropian dhe bashkëpunimin ndërinstitucional në këtë procedurë.

Fjalë kyçe: Institucion, Legjislacion, Procedurë, Traktat, Rregullore, Direktivë, etj.

Mbi Institucionet e Unionit Evropian në përgjithësi

Ndryshimet institucionale kanë qenë të vazhdueshme si rezultat i zgjerimit dhe unifikimit të Unionit Evropian. "Debati që ka angazhuar shoqërinë evropiane rreth reformës institucionale është sa i rëndësishëm aq edhe i vështirë. Sado gjeniale të kenë qenë baballarët e Evropës së bashkuar, ata nuk kanë pasur mundësi të parashikonin të gjithë ecurinë e së ardhmes evropiane dhe të institucioneve që do ta ndërtojnë atë"312. Nuk ka dyshim se institucione me një funksionim të mirëfilltë janë një motor i fuqishëm i qëndrueshmërisë së Unionit Evropian, për këtë arsye edhe traktatet që nga ai i Parisit për Bashkësinë Ekonomike për Thëngjill dhe Çelik, në një formë ose në një tjetër kanë përmbajtur dispozita mbi institucionet. Duhet të kemi parasysh që "në tokën Evropiane ekzistojnë kultura dhe tradita të ndryshme, megjithatë edhe vlera të përbashkëta për popujt evropian. Shtetet e bashkuara demokratike Evropiane, përmes bashkëpunimit ekonomik dhe politik synojnë kah sigurimi i prosperitetit dhe paqes së përhershme. Dëshirat për sigurim dhe paqe, për liri dhe lëvizje të lirë, si dhe begatia ekonomike janë thellë të rrënjëzuara në arsyet e ekzistimit të Unionit Evropian"313. Në këtë kontekst institucionet paraqesin shtyllën themelore të ombrellës së quajtur Union Evropian. Sipas nenit 13 të traktatit të Lisabonës "Unioni ka një kuadër institucional që ka si qëllim të promovojë vlerat e tij, të çojë përpara objektivat e tij, t'u shërbejë interesave të tij, të qytetarëve të tij dhe të Shteteve Anëtare dhe të sigurojë njëtrajtshmërinë, efektshmërinë dhe vijimësinë e politikave dhe masave të tij"314. Sipas këtij neni, Institucionet e Unionit Evropian janë:

- Parlamenti Evropian,
- Këshilli Evropian,
- Këshilli,
- Komisioni Evropian,
- Gjykata e Drejtësisë e Bashkimit Evropian,
- Banka Qendrore Evropiane dhe
- Gjykata e Auditorëve.

Përveç Institucioneve të përmendura më lartë, Unioni Evropian ka edhe organe të tjera të cilat njihen si organe dytësore ose ndihmëse të Unionit Evropian, e që janë:

☑ Komiteti Ekonomik dhe Social,
☑ Komiteti i Rajoneve,
☑ Banka Evropiane e Investimeve dhe
☑ Agjencitë"315

Nga këto institucione asnjëra prej tyre nuk ka ndonjë relevantë të caktuar në aspektin legjislativ.

Institucionet Ligjvënëse të Unionit Evropian
Duke u bazuar në Traktatin e Lisabonës dhe në Traktatin për Funksionimin e Unionit Evropian, organet e Unionit Evropian mund t'i ndajmë në organet kryesore dhe në organet ndihmëse apo dytësore. Kjo ndarje vjen nga roli i tyre që kanë në ushtrimin e funksioneve brenda Unionit Evropian. Institucionet e përmendura në nenin 13 të traktatit të Lisabonës paraqesin institucionet (organet) kryesore të Unionit Evropian. "Secili institucion vepron brenda kufijve të kompetencave që u japin Traktatet dhe në përputhje me procedurat, kushtet dhe objektivat që përcaktohen në to"316.
Nga institucionet kryesore dallojmë tri institucione që në Unionin Evropian paraqesin institucione që kanë rol të veçantë në nxjerrjen e akteve juridike (ligjeve), dhe nga kjo del se në nxjerrjen e ligjeve në Unionin Evropian nuk kemi vetëm një organ, siç ekziston në shtetet nacionale ku një institucion

[312] Paskal Milo, Bashkimi Evropian, alb PAPER, Tirana, 2002, pg. 332
[313] Qendra maqedonase për arsimim evropian, Unioni evropian – Mësojmë drejtësi, Shkup, Maqedoni, 2009, fq. 8
[314] Neni 13 i Traktati të Lisabonës, miratuar më 2007 dhe hyrë në fuqi më 2009
[315] Blerim Reka, Otmar Holl, Ylber Sela, Institucionet dhe Politika e Unionit Evropian, Tetovë, 2010, fq. 23
[316] Neni 13 paragrafi 2 i Traktati të Lisabonës, miratuar më 2007 dhe hyrë në fuqi më 2009

(Parlamenti) ka rolin qendror në nxjerrjen e ligjeve. Në Traktatin për Funksionimin e Unionit Evropian, në nenin 289 paragrafi 1 është paraparë se Procedura e zakonshme legjislative konsiston në miratimin e përbashkët nga Parlamenti Evropian dhe Këshilli, me propozim të Komisionit.

Procedura Legjislative
Në Unionin Evropian nuk kemi një hierarki ligjore ashtu siç është në shtetet nacionale. Nuk ekziston një kushtetutë Evropian dhe ligje ashtu siç janë në shtetet nacionale. Në Unionin Evropian ekzistojnë Traktatet të cilat e kanë fuqinë më të lartë ligjore dhe të gjitha aktet e tjera duhet të jenë në përputhje me Traktatet.

Traktatet janë produkt i ujdisë së shteteve anëtare të Unionit Evropian, pra, nxjerrën nga shtetet anëtare të UE-së317, ndërsa aktet e tjera, janë produkt i organeve të Unionit Evropian. Me Traktatin për Funksionimin e Unionit Evropian (TFUE) është përcaktuar se Institucionet e Unionit Evropian, për të ushtruar kompetencat e Unionit mund të miratojnë rregullore, direktiva, vendime, rekomandime dhe opinione318. Në Traktat është përcaktuar edhe fuqia vepruese e tyre, tri të parat: rregulloret, direktivat dhe vendimet kanë fuqi detyruese, ndërsa dy të fundit, rekomandimet dhe opinionet nuk kanë fuqinë detyruese319.

Parlamenti Evropian nuk kishte asnjë rol legjislativ në Traktatet e para, atë të Parisit 1951 dhe atë të Romës 1957. Procedura "injoruese" ndaj Parlamentit Evropian u ndryshua me Aktin Unik Evropian duke e ngritur rolin e PE-së në procedurën legjislative dhe duke vendosur sistemin e shumicës së kualifikuar të votave, si mekanizëm vendimmarrës në Këshill320.
Roli i parlamentit në procesin legjislativ ka shkuar në vazhdimësi drejt rritjes me Traktatet e më vonshme, atë të Mastrihtit, të Amsterdamit duke u zgjeruar edhe më shumë me Traktatin e Nicës.
Bazuar në nenin 289 të Traktatin për Funksionimin e Unionit Evropian (TFUE) dallojmë tri lloje të procedurave të nxjerrjes së akteve juridike në Unionin Evropian, dhe atë:

☑ Procedura e zakonshme (e rregullt) legjislative
☑ Procedura e posaçme legjislative si dhe
☑ Procedurat e tjera legjislative

Procedura e zakonshme (e rregullt) legjislative
Procedura e zakonshme apo e rregullt legjislative është paraparë në nenin 294 të Traktatit për Funksionimin e Unionit Evropian. Kjo është procedurë e cila në thelb është procedurë e vendimmarrjes së përbashkët (të vendosur më parë në nenin 251) ndërsa Traktati i Lisbonës thjesht ka ndryshuar formulimin për të theksuar barazinë ndërmjet Parlamentit Evropian (PE) dhe Këshillit gjatë gjithë kësaj procedure321. Është e rëndësishme të theksohet se "ndryshimi kryesor që rezultojnë nga Traktati i Lisbonës është aplikimi i kësaj procedure në një numër të 'bazave ligjore' të tjera. Tani ka rreth 70 baza ligjore që ofrohen për procedurën e zakonshme legjislative. Natyrisht një përqindje më e madhe e legjislacionit se më parë do të jetë subjekt i kësaj procedure"322.
Rol të rëndësishëm në procedurën legjislative ka Komisioni Evropian, ai është institucioni i vetëm i UE-së i cili ka të drejtë të iniciojë legjislacionin. Por në bazë të nenit 289 paragrafi 4, në rastet e caktuara të parashikuara nga Traktatet, aktet legjislative mund të miratohen me nismën e një grupi Shtetesh Anëtare ose të Parlamentit Evropian, me rekomandim të Bankës Qendrore Evropiane ose me kërkesë të Gjykatës së Drejtësisë ose të Bankës Evropiane të Investimeve. Rrjedhimisht, Komisioni është përgjegjës për hartimin e propozimeve të duhura legjislative. Përpara miratimit të propozimeve

[317] Deri më sot Unioni Evropian ka nxjerrë (miratuar) disa Traktate. Traktati i fundit është ai i Lisabonës i cili u nënshkrua më 13dhjetor 2007, dhe ka hyrë në fuqi më 1 dhjetor 2009
[318] Neni 288 i Traktatit për Funksionimin e Unionit Evropian
[319] Neni 288 i Traktatit për Funksionimin e Unionit Evropian
[320] Blerim Reka & Arta Ibrahimi, Studime Evropiane, Identiteti, Historia, Integrimet Evropiane, Institucionet, Politika, E Drejta e Unionit Evropian, Tetovë, 2004, fq. 212
[321] Steve Peers, Guide to EU decision-making and justice and home affairs after the Treaty of Lisbon, A Statewatch publication, December 2010, fq. 3
[322] IBID, fq. 3

formale, Komisioni do të konsultohet me grupet përkatëse të interesit. Projekt propozimi legjislativ i Komisionit i paraqitet si Parlamentit Evropian dhe Këshillit, dhe gjithashtu për të gjithë 28 vendet anëtare të Parlamentit, dhe kur është e përshtatshme Komitetit të Rajoneve dhe Komitetit Ekonomik dhe Social323.

Fillimisht pas propozimit nga Komisioni sipas nenit 294 paragrafi 3 të Traktatit për Funksionimin e Unionit Evropian pasi bënë leximin e parë Parlamenti Evropian miraton një qëndrim, të cilin ja komunikon Këshillit. Traktati për Funksionimin e Unionit Evropian (neni 294, par. 4 dhe 5) me këtë rast Këshillit i ka dhënë dy mundësi, të aprovojë qëndrimin e Parlamentit ose të mos e aprovoj atë. Nëse e aprovon akti i korrespondon qëndrimit të Parlamentit Evropian, nëse nuk e aprovon, Këshilli e miraton qëndrimin e vet në leximin e parë dhe ia komunikon atë Parlamentit Evropian.
Në shqyrtimin e dytë, pas këtij komunikimi, Parlamenti Evropian brenda tre muajve pas marrjes së qëndrimit nga Këshilli ka tri mundësi të veprimit:

a. të aprovoj qëndrimin e Këshillit
b. të hedhë poshtë ose
c. të ndryshojë qëndrimin e Këshillit324.

Në rastin e tretë kur Parlamenti Evropian ndryshon qëndrimin e Këshillit, brenda tre muajve pas marrjes së shtesave dhe ndryshimeve nga Parlamenti Evropian, Këshilli, me shumicë të cilësuar mund:

(a) të aprovoj të gjitha shtesat dhe ndryshimet, dhe akti në fjalë konsiderohet si i miratuar;
(b) të mos aprovoj të gjitha shtesat dhe ndryshimet, Presidenti i Këshilli, në marrëveshje me Presidentin e Parlamenti Evropian, brenda gjashtë javëve thërret një mbledhje të Komitetit të Pajtimit (Nenin 294 paragrafi 8 i TFUE). Ky Komiteti i Pajtimit, përbëhet nga anëtarët e Këshillit ose përfaqësuesit e tyre dhe nga një numër i barabartë deputetësh të Parlamentit Evropian, dhe ka për detyrë të arrijë një marrëveshje për një tekst të përbashkët, me shumicën e cilësuar të anëtarëve të Këshillit ose përfaqësuesve të tyre dhe me shumicën e deputetëve që përfaqësojnë Parlamentin Evropian, brenda gjashtë javëve pasi thirret mbledhja e tij, mbështetur në qëndrimet e Parlamentit Evropian dhe të Këshillit në leximin e dytë (Nenin 294 paragrafi 10 i TFUE). Nëse, brenda gjashtë javëve pasi thirret mbledhja e tij, Komiteti i Pajtimit nuk e aprovon tekstin e përbashkët, atëherë akti i propozuar konsiderohet i pa miratuar (Nenin 294 paragrafi 12 i TFUE).

Në leximin e tretë, nëse brenda kësaj periudhe, periudhës gjashtë javore, Komiteti i Pajtimit aprovon një tekst të përbashkët, Parlamenti Evropian me shumicën e votave të hedhura, dhe Këshilli me shumicë të cilësuar, ka secili një periudhë gjashtë javore nga data e aprovimit, brenda së cilës mund ta miratojnë aktin në fjalë në përputhje me tekstin e përbashkët. Nëse nuk e arrijnë këtë, akti i propozuar konsiderohet se nuk është miratuar (Nenin 294 paragrafi 13 i TFUE).
Nga kjo që u tha rrjedh se "rëndësia e procedurës së rregullt legjislative qëndron në vetë faktin që Parlamentit Evropian i njihet një e drejtë e denjë e bashkërendimit në nxjerrjen e akteve juridike të Unionit Evropian. Parlamenti Evropian dhe Këshilli (i Unionit Evropian) bashkëveprojnë në mënyrë të barabartë në nxjerrjen e akteve juridike të Unionit Evropian325.

Procedura e posaçme (e veçantë) legjislative
Karakteristik e kësaj procedure legjislative është se njëri nga dy organet, Parlamenti Evropian ose Këshilli (i Unionit Evropian), nxjerr një akt juridik, ndërsa organi tjetër megjithëse merr pjesë në nxjerrjen e tij ai nuk i ka kompetencat e barabarta në vendimmarrje. Procedura e posaçme legjislative ngërthen në vete ish-procedurat e dëgjimit dhe të bashkëvendimit326. Kjo procedurë aplikohet në

[323] Iain McIver, SPICe Briefing, The European Union – The Legislative Process, This subject profile provides a brief introduction to the European Union's legislative process. It looks at the different forms of legislation available to the EU and the way in which that legislation is agreed at EU level.11/46, 20 June 2011, pg. 4
[324] Shih: Nenin 294 paragrafi 7 i Traktatit për Funksionimin e Unionit Evropian
[325] Bashkim Zahiti, E Drejta Evropiane, Prishtinë, OLYMP, 2013, fq. 150
[326] IBID, fq. 152

rastet e caktuara kur është paraparë nga Traktatet. Objektivi i këtyre procedurave është që të lehtësoj procesin e vendim-marrjes së UE-së duke e bërë atë më të qartë dhe më efektiv. Siç tregon edhe emri i tyre, këto procedura derogojnë nga procedurat e zakonshme legjislative dhe prandaj përbëjnë përjashtime.

Procedurat e tjera legjislative
Procedurat e tjera legjislative kanë të bëjnë me çështjet e veçanta që kanë të bëjnë me Unionin Evropian, si për shembull amandamentimi i Traktatit themeltar të UE-së, miratimi i buxhetit të Unionit Evropian, miratimi i marrëveshjeve ndërkombëtare të Unionit etj.

Nënshkrimi dhe shpallja e akteve juridike të Unionit Evropian
Varësisht se a kemi nxjerrjen e një akti juridik në procedurë të rregullt legjislative apo në procedurë të posaçme, dallon edhe subjekti që i nënshkruan ato. Kjo është përcaktuar nga Traktati për Funksionimin e Unionit Evropian në të cilin thuhet: "Aktet legjislative të miratuara sipas procedurës së zakonshme legjislative nënshkruhen nga Kryetari i Parlamentit Evropian dhe nga Presidenti i Këshillit. Aktet legjislative të miratuara sipas një procedure të posaçme legjislative nënshkruhen nga Titullari i institucionit që i miraton"327. Po ashtu edhe "Aktet jo legjislative të miratuara në formën e rregulloreve, direktivave ose vendimeve, kur nuk e përcaktojnë se cilit i drejtohen, nënshkruhen nga Titullari i institucionit që i miraton"328.
TFUE ka përcaktuar se aktet legjislative botohen në Gazetën Zyrtare të Bashkimit Evropian dhe hyrja në fuqi bëhet me datën e përcaktuar në tekstin e tyre ose, në mungesë të këtij parashikimi, njëzet ditë pas botimit të tyre.

Konkluzione

Sikurse çdo Shtet dhe Organizatë që posedon institucione e veta dhe rregullat e veta për funksionimin e saj, në këtë mënyrë edhe Unioni Evropian si një Organizatë supranacionale e llojit sui generis posedon institucionet e veta dhe rregullat e veta mbi bazën e të cilave funksionon. Në këtë kontekst, sikurse organizatat dhe shtetet që kanë organet legjislative edhe Unioni Evropian ka organet e veta legjislative.

Mirëpo, në Unionin Evropian siç e pamë nuk ekziston një institucion i vetëm legjislativ ashtu siç është në shtetet nacionale. Parlamenti Evropian në fillim nuk kishte ndonjë rol legjislativ, roli i tij në nxjerrjen e akteve legjislative është fuqizuar gradualisht ndërsa me Aktin Unik Evropian është ngritur roli i PE-së në procedurën legjislative.

Rolin e legjislativit në Unionin Evropian e luajnë tri institucione Parlamenti Evropian, Këshilli dhe Komisioni. Procedura legjislative është rregulluar me Traktatin për Funksionimin e Unionit Evropian në nenin 294 në bazë të së cilit Komisioni është propozues i ligjeve në Unionin Evropian, ndërsa dy institucionet e tjera Këshilli dhe Parlamenti Evropian janë bashkëpunues në procedurën legjislative.

Në Traktatin për Funksionimin e Unionit Evropian – TFUE dallojmë tre lloje të procedurave legjislative, procedurën e zakonshme apo të rregullt legjislative, procedurën e posaçme legjislative dhe procedurat e tjera legjislative. Prej tyre procedura e zakonshme legjislative është kryesore dhe më e rëndësishme.

Të gjitha aktet legjislative të nxjerra në procedurë të rregullt legjislative nënshkruhen nga Kryetari i Parlamentit Evropian dhe nga Presidenti i Këshillit, ndërsa Aktet legjislative të miratuara sipas një procedure të posaçme legjislative nënshkruhen nga Titullari i institucionit që i miraton. Sipas TFUE aktet legjislative botohen në Gazetën Zyrtare të Bashkimit Evropian dhe hyrja në fuqi bëhet me datën e përcaktuar në tekstin e tyre ose, në mungesë të këtij parashikimi, njëzet ditë pas botimit të tyre.

[327] Nenin 297 paragrafi 1 i Traktatit për Funksionimin e Unionit Evropian
[328] IBID, Nenin 297 paragrafi 2

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IRIS KRUJA – TREGU I FONDEVE DHE SKEMAVE TË PENSIONEVE NË SHQIPËRI.

ZHVILLIMET DHE PROBLEMATIKAT E TIJ

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Abstrakt

Mbrojtja shoqërore është një veprimtari e rëndësishme e jetës shoqërore, e cila synon të përmbushë nevojat bazë dhe ti japë siguri anëtarëve të saj ndaj humbjes apo reduktimit të burimeve të jetës. Fondet e pensionit përbëjnë një nga çështjet më të rëndësishme që prekin jo vetëm brezin e moshuar, por i përkasin edhe brezave më të rinj. Sistemi shtetëror i pensioneve në Shqipëri njohu një periudhë të vështirë tranzicioni dhe tashmë ai nuk është i mjaftueshëm për kënaqjen e nevojave financiare për pjesën e popullsisë së moshës së tretë, duke u bërë kështu domosdoshmëri zhvillimi i sistemit privat të pensioneve.
Pensionet janë një element i rëndësishëm i mbrojtjes shoqërore në Shqipëri. Aktualisht 18 % e popullsisë marrin pension ndërkohë që fondet private të pensioneve janë të kufizuara. Akoma nuk ka hyrë fryma dhe kultura pasi operohet akoma me rrjetat tradicionale ku të moshuarit janë në kujdesin e fëmijëve të tyre. Megjithatë për shkak të emigracionit dhe të kushteve të vështira sociale këto rrjeta tradicionale do të vijnë duke u ulur.
Qëllimi i këtij punimi është të japë një pamje të qartë të fondeve të pensioneve në Shqipëri duke përfshirë problematikat dhe të ndergjegjësojë për rëndësinë e këtyre fondeve dhe risitë që ato sjellin.

Fjalët kyce: Tregu i fondeve, skema e pensioneve, zhvillimet, Shqipëri.

Hyrje

Sigurimet Private si një formë efikase e ndërthurur me Sigurimet Shoqërore janë krijuar me synimin për të financuar të ardhurat në moshën e pensionit. Ato janë burim parësor i produkteve të tyre, pikërisht i sigurimit të të ardhurave suplementare për pension me qëllim që të sigurojë një nivel jetik më të lartë të individit kur ai arrin moshën e pensionit. Niveli i të ardhurave të individit pas daljes në pension do të përbëhet nga të ardhurat që ai siguron si rezultat i përfshirjes në Skemën e Sigurimeve Shoqërore të detyrueshme plus kontributin dhe përfitimet e nxjerra nga pjesëmarrja në Fondet private të pensionit.329
Fondi i pensionit është një grup asetesh, i krijuar në bazë kontrate dhe pa personalitet juridik, i përbërë nga kontributet dhe investimi i tyre, pasi janë zbritur të gjitha tarifat. Fondi i pensionit zotërohet bashkërisht nga disa persona, në pronësi të ndarë dhe ku pjesët e pronësisë përfaqësohen nga kuota në fondin e pensionit.
Çdo kuotë përfaqëson pronësinë e pjesës përpjesëtimore të aseteve, të cilat ndodhen në fondin e pensionit.330

Fondet e pensionit privat kundrejt atyre publik.

Një hap i hedhur më tej në zhvillimin e këtij tregu në Shqipëri ishte ligji i ri "Për Fondet e Pensioneve Vullnetare" i miratuar në dhjetor të vitit 2009, i cili ka si qëllim përmirësimin e bazës ligjore për kolonën e tretë të fondeve private të pensionit vullnetar.Ky ligj sjell ndikime pozitive në tregun e

[329] http://www.sicred-pensions.com.al/Web/Rreth_Nesh.php
[330] http://www.financa.gov.al/files/userfiles/Aktet_ligjorenenligjore/Projektudhezimi_i_tatimit_mbi_te_ardhurat_dhjetor_2014_(1).docx.

pensioneve private duke bërë një ndryshim rrënjësor në fushën e organizimit, administrimit dhe funksionimit të këtyre fondeve dhe si rrjedhim duke rritur interesin ndaj tyre.
Klasifimi kryesor i fondeve të pensionit është ndarja e tyre në fonde pensioni publik e privat.
Fondet e pensioneve publike u nënshtrohen më shumë rregullimeve dhe kontrolleve të hollësishme nga shteti. Këto fonde nuk janë aktivë në tregun financiar. Në këto fonde, përfitimi nuk lidhet ngushtë me kontributin e kaluar të pjesëmarrësit në plan, sepse ai paguhet nga kontributet aktuale, prandaj ky quhet edhe sistemi "pay-as-you-go". Kjo mënyrë pagese mund të çojë, siç ka ndodhur në fakt, në vështirësi financiare të këtyre fondeve për një varg arsyesh, ku një prej tyre është plakja e popullsisë. (Hadëri, 2007)

Fondet e pensioneve private kanë një trysni më të madhe nga përfituesit për të ardhura të larta. Karakteristikë e këtyre fondeve është investimi i burimeve të tyre në dy lloje letrash me vlerë të tregut të kapitalit: obligacione dhe aksione të korporatave. Fondet private të pensioneve janë institucione financiare me efekte të rëndësishme në dy drejtime kryesore: së pari në atë shoqëror, si një instrument me anë të të cilit individët mund të kursejnë para për kohën e pensionit të tyre dhe së dyti si faktor shumë i rëndësishëm në tregjet e kapitalit.
Në këto plane, shpërblimi bëhet mbi bazën e kontributit. Për të shmangur mosdrejtimin e mirë dhe abuzimet e ndryshme është vendosur rregullimi i tyre nga agjensitë përkatëse. (Sulo Hadëri)

Situata aktuale e fondeve të pensionit në Shqipëri dhe evoluimi i tyre.

Ligji i ri per "Fondet e Pensioneve Vullnetare" ka për qëllim:
- Stimulimin e shtetasve të kursejnë privatisht dhe vullnetarisht për të shtuar pensionin e tyre;
- Shtimin e nivelit të kursimit të popullsisë dhe rritjen e investimeve afatgjata në vend.331

Fondi i Pensionit përbëhet nga një grup asetesh , pronarët e të cilëve janë anëtarët e fondit. Është e krijuar mbi bazë kontratash, ku secili anëtar ka pjesën e tij. Në këto asete përfshihen kontributet e derdhura dhe fitimi neto i realizuar nga investimi i tyre. Kemi dy lloje fondesh pensioni:332

Fondi i Pensionit Vullnetar, që përfaqëson dëshirën e individëve për të marrë pjesë në një plan pensioni. Në këtë rast midis individit dhe Shoqërisë Administruese të Fondit të Pensionit lidhet një kontratë ku përcaktohen kushtet dhe detyrimet që kanë palët.

Fondi i Pensionit Profesional përfaqëson dëshirën e punëdhënësit privat ose shtetëror të sigurojë te një Fond Pensioni punonjësit e tij me një plan pensioni profesional. Në këtë rast lidhet një kontratë midis punëdhënësit dhe Shoqërisë Administruese të Fondit të Pensionit, ku specifikohen kushtet dhe emrat e personave që do te perfitojnë nga kjo marrëveshje. Pjesëmarrja në planin e pensionit mund të jetë tre llojesh: kolektive, individuale dhe e kombinuar. Në një plan pensioni kolektiv, punëdhënësi duhet të paguajë tërësisht kontributet për pension vullnetar në emër të punonjësve të tij, në një plan pensioni individual punëmarrësit marrin përsipër të paguajnë gjithë kuotën e kontributit për pension vullnetar nga të ardhurat personale, kurse në një plan pensioni të kombinuar kontributet për pension vullnetar paguhen pjesërisht nga punëdhënësi e pjesërisht nga punëmarrësi.333

Sipas Naim Hasës, drejtor i përgjithshëm i pensioneve Sigal, ligji i ri i pensioneve private me lehtësirat fiskale që parashikon do ta bëjë investimin në fondet private të pensioneve edhe më tërheqës për individët edhe për punëdhënësit. (Revista Monitor, 2012,fq 40)

1-Ky ligj i ofron konsumatorit sigurinë e munguar në treg, pasi fondet e pensioneve private do të administrohen nga Shoqëria Administruese, e cila është një Institucion Financiar, bankë apo kompani sigurimi, përgjegjëse për mbledhjen e kontributeve dhe pagesën e përfitimeve.

[331] Autoriteti i Mbikëqyrjes Financiare, 2010
[332] Ligji nr.10 197, date 10.12.2009, Per fondet e pensionit vullnetar.
[333] Fabozzi, F. J. & Modigliani, F.(2013). *Tregu I kapitaleve; Institucionet dhe instrumentet* (Vol. 4), Mediaprint.

2-Ky ligj ofron gjithashtu dhe garanci sepse asetet e fondit të pensionit334 që përbëhen nga kontributet e derdhura dhe fitimi i realizuar do të mbahen nga Depozitari, që është një bankë e liçencuar nga Banka e Shqipërisë dhe e miratuar nga autoriteti i Mbikëqyrjes Financiare, i cili mbikëqyr gjithë veprimtarinë e Fondit.
3-Kështu një nga lehtësirat tatimore që bëhet e mundur është se kontributet e derdhura në një fond pensioni privat, si ato të punëmarrësit edhe ato të punëdhënësit, zbriten nga të ardhurat personale për efekt tatimi. Fitimi i realizuar nga investimi i aseteve të fondit, nuk i nënshtrohet tatimit as për fondin e pensioneve dhe as për shoqërinë administruese.
4-Gjithashtu pjesëmarrja në një Fond Pensioni është shërbim financiar dhe si rrjedhojë është i përjashtuar nga TVSH-ja. Kontributet e derdhura nga punëdhënësi në interes të punëmarrësve të tij në një fond pensioni konsiderohen si shpenzim i zbritshëm për qëllime të tatimit mbi fitimin.

Si paraqitet situata aktuale e skemave te pensioneve në Shqipëri?

Aktualisht në Shqipëri veprojnë sistemi shtetëror i sigurimeve shoqërore dhe tre fonde pensioni private vullnetare.

Skema e pensionit të detyrueshëm.
Sistemi shtetëror i pensioneve funksionon sipas modelit PAYG (pay-as-you-go), pra bazohet në solidaritetin e brezave, ku gjenerata e sotme e të punësuarve, paguajnë për pensionistët e sotëm.
Pensionet ndahen në tre kategori kryesore: të pleqërisë, që zënë 81% të numrit të përgjithshëm, familjare që zënë 13% dhe të invaliditetit me 6%. Në vendin tonë ka mesatarisht një pensionist për çdo familje Fondet e sigurimeve shoqërore në shkallë vendi zënë rreth një të pestën e Buxhetit të Shtetit. (Kepi, 2007)
Kontributi i detyrueshëm për sigurimet shoqërore e shëndetësore për të punësuarin janë 27.9% e pagës bruto mujore, ku pjesa e punëdhënësit është 16.7% (15% për sigurime shoqërore dhe 1.7% për sigurime shëndetësore), kurse pjesa e punëmarrësit është 11.2% (9.5% për sigurime shoqërore dhe 1.7% për sigurime shëndetësore).335
Financimi i buxhetit të shtetit në drejtim të skemës së sigurimeve shoqërore është i ndarë në dy kategori: në financim të programeve të veçanta të qeverisë si dhe në subvencionim të fondit të pensioneve.

Disavantazhet e skemës së pensionit të detyrueshëm.
Siç mund të vihet re nga sa u trajtua më sipër, raporti kontribues/përfitues është i vogël dhe skema paraqet një sërë problemesh, të tilla si336:
-Niveli i ulët i pensioneve;
-Normë e zëvendësimit e ulët;
-Ndryshimet demografike që çojnë në rritjen e numrit të pensionistëve.
-Kontributet nuk akumulojnë të ardhura pasi ato nuk investohen.

Skema private (vullnetare) e pensioneve
Për vetë kompleksitetin dhe problematikën që paraqet skema e sigurimeve shoqërore, u bë domosdoshmëri shfaqja e pensioneve private. Sot numërohen kater kompani të pensioneve private suplementare : Raiffeisen Invest337(Raiffeisen Pensions), Sigal, Sicred sh.a, Sigma.

Avantazhet e skemës private te pensioneve
Arsyeja që ky sistem sot po bëhet gjithnjë e më shumë dominues janë edhe avantazhet që ka në raport me sistemin e vjetër shtetëror të pensioneve.

[334] http://news.al/lajme/artikull/iden/390281/titulli/Pensionet-private-dhe-ligji-i-ri
[335] Vendim nr. 1114, datë 30.07.2008, i Këshillit të Ministrave
[336]http://www.minfin.gov.al/minfin/Reformimi_i_sistemit_te_pensioneve_kerkon_nje_pakt_te_gjere_politik_e_social_978_
[337] Më 26.03.2009 është miratuar ndryshimi i emrit nga IAPPSH (Instituti Amerikan i Pensioneve Private Suplementare) në Raiffeisen Pensions.

Së pari për mënyrën se si funksionon. Sistemi shtetëror funksionon mbi bazën e solidaritetit, ku çdo i punësuar duhet të kontribuojë për të mbajtur brezin në rritje të pensionistëve dhe do të përfitojë aq sa shoqëria ka mundësi t'i ofrojë në kohën kur do dalë në pension. Ndërsa sistemi privat mbështetet në parimin e vetëkapitalizimit, i cili i garanton individit kontributet që ka derdhur në vite, si dhe fitimin që është realizuar gjatë investimit të tyre.
Së dyti për kushtet favorizuese që ofron sistemi për të përfituar një pension në pleqëri. Sistemi shtetëror për të ofruar një pension, qoftë edhe të pjesshëm pleqërie, kërkon një moshë të caktuar si dhe një vjetërsi në punë jo më pak se 15 vjet. Ndërsa në sistemin privat mund të dalësh në pension 5 vjet më parë se në sistemin shtetëror dhe nuk ka kufizime në vjetërsinë e punës.
Së treti, sistemi privat ofron përfitime shumë më të larta se sistemi shtetëror, që për kohën e sigurimit dhe për masën e kontributit shkon nga 3-5 herë më shumë.
Së katërti sistemi privat i pensioneve njeh edhe tërheqje të menjëhershme, duke ju dhënë mundësinë anëtarëve që të tërheqin në çdo kohë asetet që kanë në fond ose t'i transferojnë ato në një fond tjetër pensionesh.
Së pesti nëse anëtari vdes përpara se të marrë pagesën e të gjitha aseteve të veta, asetet në llogarinë e tij do t'i shpërndahen trashëgimtarëve në përputhje me dispozitat ligjore që rregullojnë trashëgiminë.338

Në etapën aktuale të zhvillimit që ka arritur jeta sociale dhe ekonomike në Shqipëri është bërë e domosdoshme prania e skemave private vullnetare, të cilat arrijnë t'i japin zgjidhje disa problemeve që karakterizojnë skemën PAYG. Në skemat private është pak i përfillshëm ndikimi i plakjes së popullsisë, i cili redukton fuqinë punëtore dhe jep shumë efekte negative në skemën shtetërore meqënëse zvogëlon bazën e kontributeve. Gjithashtu kontribuesit në skemat private arrijnë të bëjnë një lidhje më të qartë ndërmjet kontributeve aktuale dhe përfitimeve të ardhshme gjë që tregon se skemat private ofrojnë stimuj më të fuqishëm në tregun e punës dhe minimizojnë shtrembërimet në këtë treg meqënëse interesimi i individëve është më i lartë. Një karakteristikë themelore e fondeve private është diversifikimi i riskut, por që kjo të rezultojë me sukses duhet që fondi të jetë i menaxhuar mirë dhe në mënyrë kompetente.

Konkluzione

- Tablloja e sistemit aktual të pensioneve në Shqipëri e trajtuar në kapitujt paraardhës tregon se ky sistem ka shumë mangësi e probleme.
- Problematika e skemës së Sigurimeve Shoqërore është mjaft e gjerë dhe komplekse dhe prek në mënyrë direkte dhe indirekte gjithë popullsinë. Kjo skemë paraqet një varg problemesh si: raport të ulët përfitues/kontribues, nivel të ulët të pensioneve si dhe ndikohet nga plakja e popullsisë. Kështu që reformimi i sistemit të pensioneve është i paevitueshëm.
- Tregu i pensioneve private është një treg në zhvillim e sipër në Shqipëri, por me miratimin e ligjit të ri mbi fondet vullnetare private pritet të ketë një zhvillim akoma më të madh.
- Avantazhi i skemës së sigurimit vullnetar është mbështetja tek parimi i vetëkapitalizimit, i cili i garanton individit marrjen e kontributeve të derdhura dhe fitimin e ardhur nga investimi i tyre. Në këtë skemë nuk ka mbushje moshe dhe as vitesh pune, por çdo individ mund të marrë kontributin e vet në çdo kohë apo ta transferojë në një fond tjetër pensionesh. Krijon mundësinë e lehtësira fiskale dhe të ardhurave më të larta në periudhën e pleqërisë.
- Fondet private të pensionit përbëjnë një alternativë të mirë për përmirësimin e sistemit të pensioneve në Shqipëri dhe janë një fenomen më se i zakonshëm në vendet e zhvilluara, madje po zhvillohen mjaft dhe në vendet e rajonit. Efektet pozitive që sjellin janë të shumta si dhe kanë një sërë përparësish në raport me skemën shtetërore.
- Fondet private të pensionit ndikojnë në rritjen e kursimeve të popullsisë dhe sigurojnë një kanal të kalimit të fondeve nga subjektet që kursejnë tek ata që kanë nevojë për fonde, duke rritur kështu investimet.
- Gjithashtu fondet e pensionit mbështesin zhvillimin e tregjeve kapitale. Ata zvogëlojnë kostot e transaksioneve, përmirësojnë alokimin e fondeve, rrisin kursimet, duke sjellur efekte pozitive në

[338] http://www.sicred-pensions.com.al/Web/Terheqja_e_Parakohshme.php

rritjen dhe mirëqënien ekonomike, por gjithsesi këto efekte pozitive reduktohen në qoftë se nuk ka një situatë të kënaqshme makroekonomike të vendit. (Walker& Lefort, 2002)

- Gjithmonë duhet patur parasysh se qëllimi primar i një sistemi pensioni është të sigurojë të ardhura të qëndrueshme, të mjaftueshme dhe të përshtatshme për të moshuarit, ndërkohë që implementohen në mënyrën e duhur dhe në përputhje me kushtet konkrete të vendit skemat që optimizojnë mirëqënien.

Rekomandime

- Një zhvillim tepër i rëndësishëm për tregun privat vullnetar të pensioneve do të ishte përfshirja në këto fonde i emigrantëve dhe për të nxitur pjesëmarrjen e tyre është i nevojshëm krijimi i lehtësirave për të komunikuar e afruar ndërmjetësit financiarë nëpërmjet lidhjeve të marrëveshjeve bilaterale me vendet ku është ky emigracion.
- Kontributet e anëtarëve mund të investohen nga fondi në mënyra të ndryshme, brenda vendit apo edhe në tregjet kapitale të huaja, në aksione e obligacione të firmave, ose mund të depozitohen në banka apo të investohen në asete të tjera. Por është esenciale që të diversifikohet portofoli i investimeve dhe të bëhet një vlerësim korrekt i riskut të instrumenteve e alternativave të ndryshme të investimit.
- Zhvillimi i mëtejshëm i tregut të pensioneve private është shumë i rëndësishëm për vendin, dhe duhet të shoqërohet dhe me hapa të tjerë. Nuk duhet harruar se një nga rolet e tyre është të sigurojnë një kanal të kalimit të fondeve nga ata që i kursejnë te ata që kanë nevojë për fonde, duke pasur kështu një impakt pozitiv në zhvillimin ekonomik të vendit.

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DR. JULEJDA GËRXHI – STATUSI I NËPUNËSIT CIVIL NË REPUBLIKËN E SHQIPËRISË, KONFORM STANDARTEVE EVROPIANE TË SHËRBIMIT CIVIL.

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Abstrakt

Ligji i ri "Për nëpunësin civil" në Republikën e Shqipërisë, në zbatim rigoroz të standarteve evropiane të funksionimit të shërbimit civil, ka sanksionuar statusin e nëpunësit civil, si nje korpus të drejtash dhe detyrimesh.
Qëllimi i këtij punimi është trajtimi i statusit të nëpunësit civil në Republikën e Shqipërisë, në kuadër të të drejtave dhe detyrimeve që rrjedhin nga marrëdhënia e punës, pasi ato përbëjnë një balancim pushtetesh mes nëpunësit dhe institucionit të administratës publike. Mjeshtria e ligjvënsit në krijimin e kësaj barazpeshe normative ndërmjet të drejtave dhe detyrimeve të nëpunësve civilë, qëndron pikërisht në garantimin e një shërbimi sa më cilësor ndaj komunitetit, por nga ana tjetër edhe garancinë e ruajtjes së figurës së nëpunësit civil gjatë ushtrimit të funksioneve të tij.
Në këto kushte të drejtat dhe detyrimet e nëpunësve civilë, përbëjnë elementet e një raporti kontraktual të punës, të lidhur mes nëpunësit civil, si punëmarrës, dhe institucionit të administratës publike, si punëdhënës. Por që një marrëdhënie pune të funksionojë më së miri, duhet që palët kontraktore, pra, punëdhënësi dhe punëmarrësi, t'i respektojnë me përpikëri të drejtat dhe detyrat e tyre, të cilat janë reciprocikisht të ndërsjella: të drejtës së njërës palë i përgjigjet detyrimi i palës tjetër dhe e kundërta.
Ashtu si marrëdhëniet e punës në përgjithësi, edhe nëpunësi civil gëzon të drejta dhe mbart detyrime, të cilët në momentin e nënshkrimit të aktit të emërimit të nëpunësit, e vendosin atë përballë sfidës së ruajtjes së raportit të qëndrueshëm të punës në administratën publike.

Fjalët Çelës: legjislacion, status, nëpunës civil, standart, administratë publike.

Hyrje

Tradita administrative ndryshon në varësi të kulturës së një vendi, por ekzistojnë dhe pikëpamje të përbashkëta për mënyrën se si nëpunësit civilë duhet t'i përmbushin detyrat e tyre në mënyrë të drejtë, të ndershme dhe efikase. Megjithatë këto vlera mund të bien në kundërshtim me atë çka pritet. Për shembull, mbi shpinën e anëtarit të familjes, që është i punësuar në administratën publike, ushtrohet një presion i madh, sepse pritet që ai të kujdeset për familjarët e tjerë, edhe në rastet kur niveli i pagave me vështirësi arrin t'i përmbushë nevojat personale më të ngutshme të nëpunësit civil. Në kuadër të këtyre trysnive shfaqen disa situate, ku bëhet e vështirë marrja e vendimit të duhur, prandaj nëpunësit civil i duhet të zbatojë standartet që ai i njeh dhe i kupton e, mbi bazën e tyre, mund të realizojë vendimmarrjen e duhur.
Pjesa më e madhe e publikut, do të donte që nëpunësi civil të ishte i ndershëm dhe i respektuar për integritetin e tij personal (Hooligan, 2009). Ky pohim është i saktë dhe ofron pikënisje për një sistem menaxhimi të konsoliduar të shërbimit në administratën publike.
Në pamje të parë duket sikur ky pohim është garantues i gëzimit të statusit të nëpunësit civil, por përtej tij, ka shumë elementë që vendosin mirëfunksionimin e këtij statusi.
Sot në vendet e zhvilluara, por edhe në vendet në zhvillim, trysnitë mbi shërbimin civil vijnë për arsye të ndryshme, siç janë:

- ☑ delegimi i përgjegjësive, duke përfshirë përgjegjësitë financiare brenda organizmave të shërbimit publik;
- ☑ ndikimi që ushtron media ndaj nëpunësve civilë, duke i detyruar ata të shfaqin anën e tyre më negative, si rezultat i provokimeve që u janë bërë;

☑ gatishmëria në rritje e publikut për t'u ankuar, kur cilësia e shërbimit të ofruar është e ulët.

Të gjitha këto arsye kanë kontribuar për rritjen e ndërgjegjshmërisë në lidhje me nevojën për të ndërmarrë hapa në konsolidimin e të drejtave dhe detyrimeve, mbi të cilët do të funksionojë marrëdhënia e punës së nëpunësit civil në administratën publike.

Shumë vendeve në tranzicion u është dashur të përballen me skeletin e trashëguar të një shërbimi civil të demoralizuar dhe keqfunksional, shpesh të keqpaguar apo të mospaguar, duke realizuar një mbijetesë me çfarëdo që mund të zhvatë nga populli për shërbimet që ofron. (Ongaro, 2010)
Por sot reformat në fushën e administratës publike, po synojnë gjithmonë e më tepër, përfshirjen e një delegimi më të madh të përgjegjësive, dhe liri veprimi më të madhe për nëpunësit civilë, trysni buxhetore dhe forma të reja të shpërndarjes së shërbimeve publike, të cilat po i sfidojnë vlerat tradicionale të shërbimit publik.
Proçesi i menaxhimit të shërbimit modern civil ka zgjeruar hapësirën e lirisë së veprimit në shumë fusha. (Report of Center for European Reform, 2013)

Bazuar në rekomandimet e Avokatit të Popullit Evropian (Ombudsman, 2012), 5 parimet që duhet të udhëheqin statusin e nëpunësit civil, parashikuar në legjislacionin e shërbimit civil të vendeve të BE-së, por edhe të shteteve që aspirojnë të jenë pjesë e saj, janë:
1→Angazhimi ndaj BE-së dhe shtetasve të tij
2→Integriteti
3→Objektiviteti
4→Respekti për të tjerët
5→Transparenca.

Në fushën e rregullimit ligjor të marrdhënieve të punës në shërbimin civil, debati zhvillohet në gjetjen e balancës së duhur mes sigurisë juridike të imponuar nga e drejta administrative dhe nevojës për fleksibilitet menaxherial, për të shmangur fragmentimin e rregullimit të marrëdhënieve të punës në favor të detyrimeve, dhe anashkalimit të të drejtave të nëpunësit civil.

Të drejtat e nëpunësit civil sipas legjislacionit shqiptar.

Shqipëria është një shtet, me një administratë të vogël publike dhe një numër të kufizuar të nëpunësve civilë, (pavarësisht se ligji i ri "Për nëpunësin civil", e zgjeroi fushën e veprimit të tij), dhe kjo parashikohet të jetë fizionomia e saj edhe për të ardhmen.
Gjithësesi administrata publike shqiptare është duke kaluar nëpër reforma dinamike në rrugën drejt integrimit evropian.

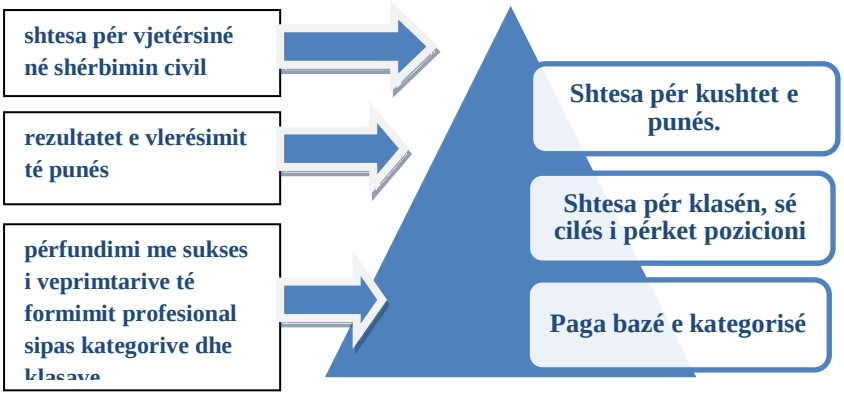
Një ndër zhvillimet më pozitive në reformat e kërkuara nga BE që ka patur Shqipëria këto vitet e fundit në kuadër të shërbimit civil, ishte miratimi me konsensus të gjerë politik i Ligjit Nr.152/2013 "Për Nëpunësin Civil", implemetimi i të cilët duket se është në rrugë të mbarë, pavarësisht kohës së shkurtër të vënies së tij në zbatim.
Në kreun e shtatë të ligjit nr.152/2013 "Për Nëpunësin Civil"(i ndryshuar), janë parashikuar të drejtat e nëpunësit civil, të cilat garantojnë statusin e tij gjatë kohëzgjatjes së marrëdhënies së punës në shërbimin civil.

Neni 33 i ligjit ka garantuar të drejtën e kushteve të përshtatshme të punës dhe mbrojtjen nga shteti në kryerjen e detyrave. Nëpunësi civil ka të drejtën për kushte pune të përshtatshme, që sigurojnë mbrojtjen e integritetit fizik, moral dhe dinjitetit të tij. (neni 33 i ligjit nr 152/2013 "Për Nëpunësin Civil"). Autoriteti publik ka detyrimin ligjor të vendos në dispozicion të nëpunësit të gjithë bazën infrastrukturore të posaçme, në funksion të kryerjes së një shërbimi efiçient. Ofrimi i shërbimit nga ana e nëpunësit lidhet me veprimtarinë intelektuale të punës së tij, prandaj paraqet domosdoshmëri baza logjistike e nevojshme, për një rezultat sa më cilësor dhe të pranueshëm nga konsumatori i shërbimit. Gjithashtu nëpunësi civil mbrohet nga shteti në ushtrimin e detyrave të tij në shërbimin civil, duke kërkuar edhe mbështetjen e institucioneve të specializuara, nëse është e nevojshme. Nëpunësi civil gëzon të drejtën e mbrojtjes, në qoftë se atij drejtpërsëdrejti i janë bërë kërcënime,

sulme apo edhe veprime të tjera të ngjashme me to lidhur me kryerjen e detyrave zyrtare. Në raste të tilla, me qëllim ruajtjen e personalitetit të tyre dhe vazhdimësinë në kryerjen e detyrës, shteti është i detyruar që t'u siguroje këtyre nëpunësve një mbrojtje të veçantë.

Marrëdhëniet juridike të punës përgjithësisht, por edhe në veçanti në shërbimin civil, bazohen në binomin shërbim-shpërblim. Është e drejta e përfitimit të pagës së punës dhe e shpërblimeve të tjera, ajo që garanton mirëqënien financiare të nëpunësit civil. Por gjithashtu është edhe motivimi për të kryer me korrektesë shërbimin për të cilin ai është kontraktuar.
Neni 34 i ligjit, sanksionon se nëpunësi civil ka të drejtën e pagës për ushtrimin e detyrës në shërbimin civil.

Figura 1. Paga e punës së nëpunësit civil është e organizuar sipas kësaj strukture



E drejta e antarësimit në sindikata dhe shoqatat profesionale, përveçse një e drejtë kushtetuese, është edhe e drejtë e garantuar nga neni 36 i ligjit. Neni 50 i Kushtetutës së RSH, përcakton organizimin e lirë sindikal, duke garantuar një mbrojtje kolektive të marrëdhënieve juridike të punës së nëpunësit civil. Çdo nëpunës ka të drejtën të marrë inisiativën e themelimit të organizatës sindikaliste ose të aderojë në sindikata, që kanë për qëllim mbrojtjen e interesave të tyre në shërbimin civil (neni 36 ligjit nr.152/2013 "Për Nëpunësin Civil").

Organizatat sindikale luajnë një rol të rëndësishëm dhe janë pjesë aktive në vendimarrjen në lidhje me kushtet e punës, të realizuara në çdo institucion të përfshirë në shërbimin civil, çka do të thotë, që bashkëpunimi produktiv institucional nuk provokon inisiativa antiligjore të cilat sjellin destabilitet.
Sipas kësaj logjike askush nuk ka të drejtë të kushtëzojë lirinë e nëpunësit për të qënë ose jo anatar i një sindikatë të krijuar në bazë të ligjit, por nga ana tjetër askush nuk mund të cënoje apo dëmtojë nëpunësin për shkak të antarësimit të tij, ose jo në një sindikatë ose pjesëmarrjes së tij në një veprimtari sindikale në respektim të legjislacionit në fuqi. Organizimi në sindikata i jep nëpunësit civil mundësinë e përmbushjes së kërkesave në lidhje me marrëdhënien juridike të punës. Nëpunësi civil ka të drejtën të konsultohet nëpërmjet sindikatave apo shoqatave profesionale të nëpunësve civilë të institucionit, në vendimmarrjen për aktet ligjore dhe nënligjore, lidhur me marrëdhënien e punës në shërbimin civil. (neni 39 i ligjit nr 152/2013 "Për Nëpunësin Civil"). Çdo nëpunës civil ka të drejtë të zgjidhet në organet drejtuese të sindikatës dhe të ushtrojë komptencat jashtë orarit zyrtar, por këtë të drejtë nuk e kanë antarët e trupës së nivelit të lartë drejtues (TND).
Pjesëmarrja në organet drejtuese sindikale nuk është e detyrueshme për nëpunësin civil.
Përderisa kjo është një e drejtë e parashikuar në ligjin material, është zgjedhja e lirë e çdo nëpunësi, nëse do të bëhet pjesë e organizmit sindikalist apo jo.

E drejta e grevës është parashikuar në nenin 51 të Kushtetutës, dhe i lejohet të gjithë të punësuarve, në lidhje me pretendimet që ata kanë nga marrëdhënia juridike e punës. Pjesëmarrja nëpërmjet sindikatave ose përfaqësuesve të tyre, në proçesin e marrjes së vendimeve lidhur me kushtet e punës, apo edhe pretendime që lidhen me kontratën e punës, mundëson të drejtën për të bërë grevë. Ligji i ri

nuk i privon nëpunësit civilë nga e drejta e tyre për të kërkuar kushte më të mira pune dhe për t'i realizuar pretendimet e tyre nëpërmjet të drejtës së grevës. Por kjo e drejtë është e ndaluar në disa fusha, (neni 35 i ligjit nr 152/2013 "Për Nëpunësin Civil"), që përfshijnë shërbimet emergjente si transporti, furnizimi me ujë dhe energji elektrike, administrata e burgjeve, e sistemit të drejtësisë, shërbimet kombëtare, të mbrojtjes, shërbimet shëndetësore urgjente, shërbimet për furnizime me ushqime, shërbimet e kontrollit të trafikut ajror dhe detar. Kufizimi i kësaj të drejte konform ligjit "Për nëpunësin civil"është bërë në respektim të nenit 17 të Kushtetutës, i cili përcakton kufizimin e të drejtave të sanksionuara me ligj për interes publik, ose për mbrojtjen e interesave të të tjerëve.
Qëllimi i ndalimit për të bërë grevë për nëpunësit civil të punësuar në shërbimet emergjente, lidhet me rëndësinë e pozicionit të punës që ata kanë dhe me mirëfunksionimin total të strukturave të administratës publike. Detyrimi për të mos bërë grevë nuk i mohon të drejtën këtyre nëpunësve për të kërkuar zgjidhje për problematikat që ata kanë në lidhje me marrëdhënien juridike të punës.

Të drejtat politike
Kjo e drejtë bazohet në Kushtetutë (neni 46), ku parashikohet se kushdo ka të drejtë që të organizohet kolektivisht për çfarëdo qëllim të ligjshëm, dhe për asnjë arsye një e drejtë e tillë nuk mund të kufizohet dhe si rrjedhim as për faktin e të qënurit nëpunës civil.
Por edhe pse antarësimi në parti politike përbën një të drejtë kushtetuese nuk mund të përdoret edhe për të justifikuar pjesëmarrjen e nëpunësit në strukturat drejtuese të tyre, (Anastasi, 2008) pasi do të sillte disa pasoja negative gjatë ushtrimit të funksionit zyrtar, për shkak të detyrimeve politike. Angazhimi në strukturat drejtuese të një partie politike do të kërkonte një angazhim mendor dhe fizik nga ana e nëpunësit duke penguar ushtrimin e funksioneve zyrtare, e duke sjellë kështu shkeljen e detyrimeve të marra përsipër në momentin e nënshkrimit të vendimit për fitimin e statusit të nëpunësit civil. Në pikëpamje konceptuale interpretimi kushtetues i përpunuar në ligjin "Për nëpunësin civil", (neni 37), përcakton së nëpunësi ka të drejtë të jetë anëtar i një partie politike, të jetë aktiv politikisht si individ, por me kushtin që të mos jetë i zgjedhur në organet qendrore ekzekutive të partisë, dhe këto veprimtari politike t'i zhvillojë pa i përzjerë me ushtrimin e detyrave zyrtare në shërbimin ndaj publikut. Këtë të drejtë nuk e kanë antarët e TND.

Pra teorikisht ekziston parimi i asnjanësisë politike në kryerjen e punëve zyrtare të nëpunësit civil. Asnjanësia politike gjatë ushtrimit të funksionit të nëpunësit në një kuptim ideal, do të ishte depolitizimi i nëpunësit, duke bërë që ky i fundit t'i kryejë detyrat e veta pa pasion politik dhe pa urrejtje. Por sipas legjislacionit tonë ky idealizëm nuk mund të realizohet pasi vetë norma juridike lejon antarësimin e nëpunësit në parti politike, apo pjesëmarrjen në veprimtari politike.
Por gjithësesi zbatimi i saj në praktikë shfaq edhe kufizime të tilla:
⌦ duke qënë anëtar i një partie politike nëpunësi civil nuk duhet të vërë në dyshim statusin e tij dhe as kryerjen e detyrave zyrtare që rezultojnë nga ky status;
⌦ duke qënë anëtar i partisë politike nëpunësi nuk mund të marrë pjesë në fushatat elektorale gjatë kohës së tij të punës;
⌦ nëpunësi civil nuk mund të propogandojë simbolet e partisë ku aderon në ambientet e tij të punës, si dhe të shprehë bindjet dhe preferencat e tij politike publikisht.
Në kuadër të të drejtave politike, krahas të drejtës aktive për të zgjedhur, nëpunësi civil gëzon dhe të drejtën pasive për t'u zgjedhur në zgjedhjet e përgjithshme apo ato vendore. Në këtë rast nëpunësi detyrohet të kërkojë pezullimin nga detyra.

E drejta e formimit profesional.
Nëpunësit civil kanë të drejtë të trajnohen në lidhje me punën, në mënyrë periodike dhe të paguar nga fondet publike, donatorë të huaj apo të ardhura vetjake. Formimi profesional i nëpunësit civil, përfshin programin e formimit të thelluar të kandidatëve për kategorinë e nëpunësve civilë të nivelit të lartë drejtues (TND), anëtarë të trupës së nëpunësve civilë të nivelit të lartë drejtues, dhe programin e formimit të vazhdueshëm të nëpunësve civilë. Formimi i vazhdueshëm profesional është një ndër pikat më të rëndësishme të politikave të punësimit, pasi nëpunësi që e ka fituar këtë status, profesionalizohet në ecurinë e funksionit që ai kryhen duke përdorur metodat më të mira në realizimin e produktit. Institucionet e administratës publike janë të detyruara që t'u ofrojnë nëpunësve trajnime të përgjithëshme dhe të veçanta, në përputhje me pozicionin e punës.

Detyrimi i ofrimit të trajnimeve i është ngarkuar Shkollës së Administratës Publike (ASPA), por me amendimin e fundit të ligjit "Për nëpunësin civil", (Ligji nr.178/2014 "Për disa shtesa dhe ndryshime në ligjin rr.152/2013 "Për Nëpunësin Civil") përgjegjësia i është ngarkuar edhe Departamentit të Administratës Publike (DAP), në hartimin e politikave të trajnimit, duke mbajtur parasysh zhvillimet e legjislacionit dhe politikat shtetërore. Parashikohet që në përcaktimin e politikave të përzgjedhjes dhe të formimit, ASPA detyrohet të bashkëpunojë me DAP-in, duke marrë në konsideratë rekomandimet e miratuara prej tij, si njësia e ngarkuar për përgatitjen dhe mbikëqyrjen e zbatimit të politikave shtetërore në shërbimin civil.

E Drejta e Informimit dhe Ankimit.
Nëpunësi civil ka të drejtë të informohet për fillimin e çdo proçedimi administrativ dhe për çdo vendim që ka të bëjë me marrëdhëniet e tij në shërbimin civil.
Proçedimi administrativ duhet të kryhet në përputhje të plotë me parimin kushtetues të një proçesi të rregullt ligjor, sipas të cilit nëpunësi i proçeduar duhet të informohet mbi çështjet objekt proçedimi, por gjithashtu mbi bazën e parimit të verbalitetit dhe kontraditoritetit, ai ka të drejtën e "dyluftimit", për të pasqyruar kështu edhe realitetin objektiv sipas pretendimeve të tij.
Gjithashtu nëpunësi civil ka të drejtë të ankohet në gjykatën administrative ndaj çdo veprimi ose mosveprimi që i cënon të drejtat dhe interesat e tij të ligjshme gjatë ushtrimit të detyrave në shërbimin civil.
Në kuadrin e kësaj te drejte, nëpunësi civil lejohet të kontrollojë dosjen e tij personale pranë drejtorisë së burimeve njërëzore dhe në çdo kohë mund të kërkojë rinovimin e të dhënave të saj, pas ndryshimeve të ndodhura në jetën profesionale të nëpunësit.

Punësimi dhe ushtrimi i veprimtarive të tjera të ligjshme (veprimari të jashtme), jashtë detyrës dhe kohës së punës, në qoftë se një gjë e tillë nuk paraqet konflikt interesi me detyrën e tyre zyrtare dhe nuk i pengon ato në ushtrimin e saj.

Veprimtaria e jashtme (dytësore) e nëpunësit nënkupton të gjitha rastet e kryerjes së një veprimtarie të dytë nga ana e tij, e cila i sjell të ardhura. (Gérxhi, 2009)
Veprimtaritë e jashtme ose dypunësimi janë përgjithësisht të lejuara, por duke respektuar këto kufizime:
- ⌦ nëpunësi civil nuk duhet të angazhohet në një veprimtari të jashtme, e cila e pengon në kryrjen e detyrës zyrtare, ose që kërkon një agazhim mendor apo fizik nga ana e tij;
- ⌦ nëpunësi nuk mund të angazhohet në veprimtari të jashtme, qëllimi i aktivitetit të të cilave bie ndesh me detyrën e tij zyrtare apo me qëllimin e saj;
- ⌦ nëpunësit civilë të nivelit të lartë dhe të mesëm drejtues nuk duhet që të zotërojnë aksione apo të jenë antarë të organeve drejtuese në një shoqëri tregtare ose OJF. Gjthashtu ata e kanë të ndaluar të ushtrojnë veprimtari private, që krijojnë të ardhura në formën e personave fizikë tregtare, apo çdo formë ortakerie.

Përveç këtyre kufizimeve nëpunësit civil kanë të drejtë të punësohen ose të vetëpunësohen, por pa prekur kohën e punës në shërbimin civil, si dhe pa patur konflikt interesi me pozicionin që ata kanë në shërbimin civil.

Detyrimet e nëpunësit civil sipas legjislacionit shqiptar.

Integriteti publik i qeverisjes është një premisë themelore, e cila reflektohet në shumë Kushtetuta në mbarë globin. Rëndësia e kësaj premise është shtjelluar në mënyrë të shkëlqyer në Kodin e Sjelljes Zyrtare të Senatit të SHBA:"Koncepti ideal i detyrës publike, i shprehur me fjalët 'Një detyrë publike është një besim publik', do të thotë që zyrtarit i është dhënë një besim publik nga populli; zyrtari duhet t'a ushtrojë këtë pushtet vetëm në të mirë të popullit dhe asnjëherë për përfitimin e tij ose të disa personave të tjerë dhe, zyrtari nuk duhet të drejtojë asnjëherë punët e tij në mënyrë të tillë që të dëmtojë besimin publik".

Një nëpunës pa integritet nuk mund të përmbushë detyrën e tij në mënyrë të drejtë dhe të paanshme. i nisur nga interesa të tij personale, apo duke qenë nën presionin e individëve apo grupeve të tjerë, si

rrjedhojë e mungesës së integritetit, ai nuk do të jetë në gjëndje që të kryejë detyrën e tij në interes të të gjithë shoqërisë. Veprime të tilla të individëve të veshur me pushtetin e të qeverisurit, do të çojnë në humbjen e integritetit publik të të gjithë qeverisjes dhe, si rrjedhim, në shkeljen e besimit publik.
Në këtë kuadër vendosja e detyrimeve për nëpunësin civil është një rekuizitë, e cila e vendos nëpunësin nën presionin e vazhdueshëm të përgjegjshmërisë, korrektesës dhe efiçensës, në ushtrimin e detyrave publike. Detyrimet e nëpunësit civil janë të sanksionuara në ligjin "Për nëpunësit civil". Sipas këtij ligji nëpunësi civil ka këto detyra:

Detyrimi i respektimit të ligjit.
Nëpunësi civil detyrohet të njohë, të respektojë, të zbatojë dhe të veprojë në përputhje me Kushtetutën, me Kodin e Proçedurave Administrative dhe me akte të tjera ligjore dhe nënligjore. Parimi i ligjshmërisë ka të bëjë me realizimin e kompetencave në përputhje me ligjin, gjë që kërkon në rradhë të parë njohjen e tij të plotë nga ana e nëpunësit, dhe zbatimit të tij sipas situatave që i paraqiten për zgjidhje. (neni 42 i ligjit nr 152/2013 "Për Nëpunësin Civil")
Për këtë qëllim kandidatët për hyrjen në shërbimin civil, testohen për njohuritë e tyre në fushën e të drejtës kushtetuese, administrative dhe të nëpunësit civil. (Dobiani.E, 2003)

Detyrimi i përgjegjshmërisë dhe refuzimit të urdhrave të paligjshëm.
Ligji "Për nëpunësin civil", ka parashikuar situatën kur realisht paraqitet konflikti ndërmjet parimit të organizimit dhe funksionimit të shërbimit, dhe parimit universal të ligjshmërisë që duhet të respektohet dhe të zbatohet nga të gjithë nëpunësit civil, prej nivelit më të ulët, deri në trupën e nivelit më të lartë drejtues të shërbimit civil. Nëpunësi civil detyrohet të mbajë përgjegjësi të plotë për paligjshmërinë e veprimeve të tij gjatë kryerjes së detyrës. (neni 43 i ligjit nr 152/2013 "Për Nëpunësin Civil")

Ai ka detyrimin të veprojë në përputhje me urdhrat e marra nga eprorët hierarkikë, sipas ligjit dhe rregullave të institucionit. Nëse nëpunësi civil nuk është i bindur për ligjshmërinë e urdhrave dhe vendimeve të marra nga eprorët, ai nuk i zbaton, por njofton eprorin që ka nxjerrë urdhrin ose vendimin dhe kërkon konfirmimin e tij me shkrim.

Ligji me zgjidhjen që jep për të vepruar në rast urdhërash të paligjshëm nga eprorët, në thelb e konfirmon përparësinë e parimit të ligjshmërisë dhe domethënien ekskluzive të saj për funksionimin e sistemit të shërbimit civil, duke i garantuar mbrojtje nëpunësit "të pabindur" ndaj urdhrave të paligjshëm. Ky moment është shumë i rëndësishëm po të kemi parasysh presionet në të cilat është i detyruar të punojë një nëpunës në raste të caktuara.
Qëllimi i ligjvënësit ka qënë që këtë detyrim të mos e vendosë tek të drejtat e nëpunësit, por tek detyrat e tij, me qëllim që ky i fundit të jetë i detyruar të kundërshtojë zbatimin e një urdhëri i cili bie në kundërshtim me dispozitat ligjore.

Detyrimi i transparencës dhe konfidencialitetit.
Nëpunësi civil detyrohet të sigurojë për publikun e gjerë, për palët e interesuara dhe institucionet publike, informacionin e kërkuar, me përjashtim të rasteve kur ky informacion është sekret shtetëror, konfidencial ose për përdorim të brendshëm në përputhje me ligjet dhe aktet e tjera nënligjore. (neni 44 i ligjit nr 152/2013 "Për Nëpunësin Civil")

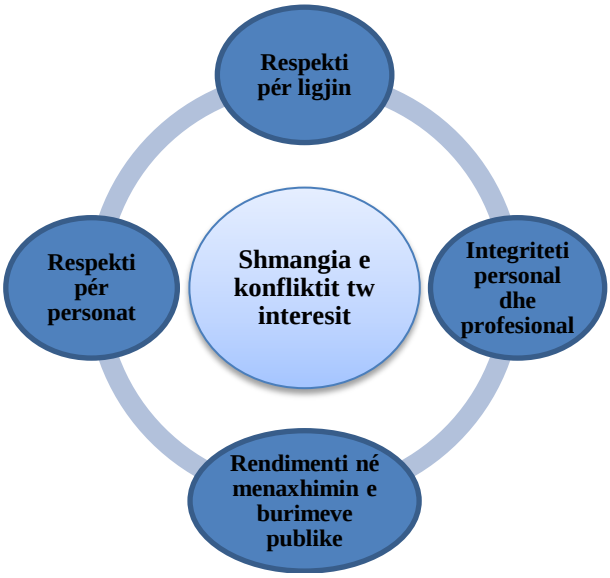
Kjo detyrë rrjedh nga zbatimi i parimit të transparencës me publikun.dhe ka të bëjë me faktin që nëpunësi civil ka për detyrë që në përputhje me ligjin në bazë të kërkesave të qytetarëve të japë informata për realizimin e të drejtave dhe interesave të tyre, kuptohet përvec informacionit të rezervuar që përbën sekret shtetëror. Përcaktimi i këtij detyrimi ka të bëjë me shmangien e konceptit burokratik tradicional të mbyllur, i cili pas perdes së sekretit zyrtar dhe shtetëror, fshihte mbrojtjen e burokracisë nga përgjegjësia për veprimet dhe vendimet e saj. (Butcher, 2011)
Transparenca e administratës ndaj publikut tregon në të njëjtën kohë edhe marrjen përsipër të një doze të madhe të përgjegjësisë, dhe mundësinë më të madhe të mbikqyrjes së punës së shërbimit civil nga shoqëria. Për shkak të këtij detyrimi, nëpunësi civil duhet të respektojë kërkesat e ligjit nr. 119/2014 "Për të drejtën e informimit", në bazë të të cilit përcaktohet detyrueshmëria e krijimit të lehtësirave

strukturore dhe praktike, për marrjen nga ana e publikut në mënyrë të saktë, të plotë, të përshtatshme dhe të shpejtë të informacionit të kërkuar. Ai ka detyrimin e mbrojtjes dhe të mospërhapjes së të dhënave vetjake, që lidhen me veprimtarinë e subjekteve të cilëve u ofrohet shërbimi.

Konflikti i interesit dhe deklarimi i interesave dhe pasurisë.
Konflikti i interesave është i përkufizuar si situata, në të cilën një nëpunës i administratës publike ka një interes personal, të tillë që ndikon ose mund të ndikojë në paanshmërinë apo objektivitetin e kryerjes së detyrës së tij zyrtare. Por përkufizimi për konfliktin e interesave është një çështje problematike.

Një vështirësi e tillë është e paevitueshme për vetë natyrën e konfliktit të interesit. Në këtë pikë, Kernaghan dhe Langford kanë patur plotësisht të drejtë kur pohonin se:"Është e rëndësishme që të njihen edhe konfliktet në dukje dhe konfliktet potencialë të interesit, të cilët e bëjnë përkufizimin e konfliktit të interesit shumë të gjërë (të papërcaktuar), dhe ndoshta edhe të padrejtë". (Langford)
Ndonëse përkufizimi i konfliktit të interesit mund të jetë shumë i gjerë, dhe deri diku edhe i padrejtë (gjatë zbatimit në praktikë të rregullave të shmangies dhe zgjidhjes së konflikteve të interesit, mund të ketë edhe raste të shkeljeve të të drejtave individuale të nëpunësve civilë), pasojat e konflikteve të tilla janë shumë të rënda, dhe ndikojnë direkt në besimin dhe konfidencën e publikut në integritetin e nëpunësve civilë dhe në qeverisjen e vendit.
Janë pikërisht pasoja të tilla të cilat e bëjnë të domosdoshëm përkufizimin edhe të konflikteve në dukje, dhe atyre potenciale të interesit, me qëllim shmangien ose minimizimin e situatave të tilla në veprimtarinë e nëpunësve civilë në administratën publike. (Young, 19.12.2003)

Konflikti i interesave, (Conflict of interest and public sector interests. British Columbia Cases, comparative perspectives, June 1991), përveç faktit që ndikon në një proçedurë vendimarrëse të caktuar, duke cënuar të drejtat e të tretëve, ka një efekt shumë negativ në besueshmërinë e institucionit dhe të procedurave që ai është i ngarkuar të kryejë. Është shumë e vështirë që të fitosh besimin e publikut, por është shumë e lehtë ta humbasësh shpejt atë. Humbja e besimit të publikut mund të shkaktojë pakënaqësi sociale dhe një reaksion zinxhir në institucione të tjera ku punojnë njërëzit e zhgënjyer. Konflikti i interesit nuk duhet parë dhe as duhet kërkuar vetëm tek TND, por edhe tek nëpunësit e thjeshtë, të cilët janë të angazhuar çdo ditë në pozicionet e tyre të punës. Qëllimi i këtij rregullimi është garantimi i një vendimarrjeje të paanshme, transparente, në interesin më të mirë të mundshëm të publikut e të besimit të tij ndaj institucioneve publike, nëpërmjet interesave publike dhe atyre private të një zyrtari në ushtrimin e funksioneve të veta. (neni 46 dhe 47 i ligjit nr 152/2013 "Për Nëpunësin Civil")



Përfundime dhe rekomandime

Shërbimi civil që të funksionojë me sukses, duhet të ketë mbështetjen e publikut. Të gjithë nëpunësit civilë kanë një përgjegjësi të vazhdueshme të promovojnë një kuptim më të mirë të objektivave dhe të punojnë me përkushtim. Kjo kërkon që ata të jenë të informuar mirë për arritjet jo vetëm të institucionit ku punojnë, por edhe shërbimin civil në tërësi, për ti dhënë informacion publikut në çdo kohë.
Koncepti i integritetit i mishëruar në Kartën e Kombeve të Bashkuara dhe adoptuar nga legjislacioni shqiptar, përfshin të gjitha aspektet e sjelljes së një nëpunësi civil, duke përfshirë edhe cilësi të tilla si ndershmëria, sinqeriteti, paanshmëria dhe moskorruptimi.
Toleranca dhe mirëkuptimi janë vlera themelore, por edhe thelbësore për nëpunësit civilë, të cilët duhet të respektojnë të gjithë individët në mënyrë të barabartë, pa asnjë lloj diskriminimi. Ky respekt nxit një klimë dhe një mjedis pune të ndjeshëm për nevojat e të gjithëve.
Paanësia në përmbajtjen e shërbimit, veçanërisht në trajtimin politik, është një ndër vlerat e shërbimit civil. Kjo cilësi nuk cënon pikëpamjet personale politike ose perspektivat kombëtare, të nëpunësve civilë, të cilat mbeten të paprekura. Gjithësesi ata nuk e kanë lirinë e personave privatë për të shprehur pikëpamjet e tyre publikisht në ambientet e punës, për çështje të debatueshme, qoftë individualisht ose si anëtarë të një grupi. Kjo do të thotë se, në situata të caktuara, pikëpamjet personale duhet të shprehen vetëm me takt dhe maturi, jashtë kontekstit të shërbimit civil.
Liria nga diskriminimi është një e drejtë themelore e shërbimit civil. Nëpunësit civil duhet të priren drejt respektimit të barazisë pa asnjë dallim. Supozimet në bazë të stereotipeve duhet të shmangen me këmbëngulje.
Një nga parimet kryesore të Kartës së OKB-s është barazia e burrave dhe grave, në funksion të promovimit të barazisë gjinore. Liria nga diskriminimi nënkupton edhe respektin ndaj modeleve të ndryshme kulturore. Kjo kërkon një vullnet për të punuar pa paragjykime me persona të të gjitha kombësive, feve dhe kulturave, çka do të thotë, shmangie skurupuloze të çdo shprehje që mund të interpretohet si e njëanshme apo intolerante. Metodat e punës mund të jenë të ndryshme në kultura të ndryshme, por ato nuk mund të jenë të paragjykuara, përsa kohë respektojnë rregullat e përgjithshme dhe specifike.
Besnikëria ndaj shërbimit civil siguron integritet dhe opinion pozitiv, se nëpunësit civilë do të vendosin interesat e përgjithshme ndaj interesave personale, pavarësisht tundimeve të çastit. Kjo do të thotë gjithashtu përdorim i burimeve të shërbimit civil në mënyrë të përgjegjshme.
Respektimi i modeleve më të mira të meritokracisë nxit respektimin e standarteve më të larta të sjelljes. Nëse nuk funksionon ky parim, do të shfaqen sjellje të pahijshme për të kërkuar favore, dhurata apo kredi nga stafet e tyre, të cilët do të jenë nën presionin e humbjes së vëndit të punës, çka do të cënojë edhe cilësinë e shërbimit civil. Proçedurat e vendimarrjes nga ana e menaxherëve apo mbikqyrësve të shërbimit civil, duhet të jenë transparente, pasi kështu ata vendosin ura komunikimi efektive me stafet e tyre. Vetëm në këto kushte, nëpunësit civilë ndjejnë një përgjegjësi reciproke për të siguruar të gjitha faktet dhe informacionet për mbikëqyrësit e tyre, në mbrojtje të vendimeve të marra, madje edhe kur këto nuk përputhen me bindjet e tyre personale profesionale.
Nëpunësit civilë duhet të mbeten të pavarur nga çdo autoritet jashtë institucionit të tyre, dhe vetë sjellja e tyre duhet të pasqyrojë atë pavarësi. Në përputhje me besnikërinë e detyrës së tyre, ata nuk duhet të pranojnë udhëzime nga asnjë subjekt jashtë organizatës së tyre të punësimit. Nëpunësit civilë duhet të ndjekin udhëzimet që ata marrin në lidhje me funksionet e tyre zyrtare, dhe në qoftë se ata kanë dyshime nëse një udhëzim bie ndesh me ligjin ose rregullin, së pari duhet të konsultohen me mbikëqyrësit e tyre. Nëse nuk gjejnë konsensus, mund të kërkojnë me shkrim udhëzimet, të cilat mund të kundërshtohen me anë të mekanizmave të duhur institucionalë. Kjo mënyrë funksionon për udhëzimet që janë qartazi në kundërshtim me funksionet e tyre zyrtare apo që kërcënojnë sigurinë e tyre ose të të tjerëve. Ata duhet të raportojnë çdo shkelje të rregullave nga një zyrtar i nivelit të lartë, përgjegjësia e të cilit është për të marrë masat e duhura. Një nëpunës civil, i cili bën një raport të tillë në të mirë të institucionit dhe publikut, ka të drejtë të jetë i mbrojtur kundër hakmarrjeve apo sanksioneve subjektive të zyrtarit të lartë, shkelës të rregullave.
Konflikti i interesave përbën një sfidë në standartet e sjelljes së nëpunësve civilë. Konflikti i interesit përfshin rrethanat në të cilat nëpunësi civil, direkt ose indirekt, krijon për të përfituar vetë në mënyrë të paligjshme, ose të lejojë një palë të tretë për të përfituar në mënyrë të paligjshme. Nëpunësit civil

duhet të shmangin ndihmën e organeve private ose personave privatë në marrëdhëniet mes tyre, kur kjo mund të çojë në trajtime preferenciale të perceptuara. Kjo është veçanërisht e rëndësishme në fushën e prokurimit publik, ose në negociatat për punësim të ardhshëm. Për të parandaluar raste konfliktesh, nëpunësit civilë vullnetarisht duhet të bëjnë të ditur paraprakisht konfliktet e mundshme të interesit që lindin gjatë kryerjes së detyrave të tyre. Ata duhet ti kryejnë detyrat e tyre zyrtare dhe punët e tyre private në një mënyrë që të mos cënohet besimi i publikut në integritetin e tyre personal dhe institucional.

Liria e organizimit është një e drejtë themelore e njeriut, dhe nëpunësit civilë kanë të drejtë të formojnë sindikata apo grupime të tjera profesionale që promovojnë dhe mbrojnë interesat e tyre. Marrëdhëniet mes eprorit të drejtëpërdrejtë dhe stafit duhet të udhëhiqen nga respekti reciprok. Përfaqësuesit e zgjedhur të nëpunësve civilë, kanë një rol kardinal në mbrojtjen e të drejtës për kushte të mira pune, si dhe në të gjitha çështjet e mirëqenies së stafit.

Përfaqësuesit e zgjedhur të nëpunësve civilë, gëzojnë të drejtat që burojnë nga statusi i tyre, dhe kjo mund të përfshijë mundësinë për të adresuar organet legjislative të organizatës së tyre. Këto të drejta duhet të ushtrohet në një mënyrë që është në përputhje me legjislacionin e brendshëm si dhe konventat ndërkombëtare për të drejtat e njeriut.

Konfidencialiteti është një ndër parimet e rëndësishme në shërbimin civil. Zbulimi i informatave konfidenciale mund të rrezikojë seriozisht efikasitetin dhe besueshmërinë e një institucioni. Nëpunësit civilë janë përgjegjës për ushtrimin e diskrecionit në të gjitha çështjet zyrtare. Ata nuk duhet të zbulojnë informacione konfidenciale pa autorizim, madje nuk duhet të përdorin informacione që nuk janë bërë publike, dhe pse janë njohur me të për shkak të pozitës së tyre zyrtare.

Obligimi kryesor i nëpunësve civilë është që të përkushtohen me të gjitha energjitë profesionale brënda institucionit të tyre, dhe çdo angazhim në veprimtari të jashtme, me ose pa shpërblim, pa autorizim paraprak të institucionit përgjegjës përbën shkelje disiplinore.

Në rast se institucioni e shikon të arsyeshëm angazhimin jashtë tij, në aktivitetet profesionale që shërbejnë per të ruajtur dhe për të përmirësuar kompetencat teknike të nëpunësit civil, i lejon dhe i inkurajon ata për rritje profesionale.

Nëpunësit civilë që të quhen pjesë e këtij sistemi duhet të jenë të angazhuar për vlerat, parimet dhe standartet e përcaktuara ndërkombtarisht. Ata duhet të kenë një qasje pozitive dhe aktive në respektimin e tyre, dhe duhet të ndjehen përgjegjës për të kontribuar ndaj idealeve, në të cilët ata duhet të përfshihen me përkushtim. Që këto standarte të zbatohen në mënyrë efektive, është thelbësore që ata të jenë gjerësisht të njohur, dhe të merren masa për të siguruar se fushëveprimi dhe rëndësia e tyre janë kuptuar si duhet për aplikim.

Respektimi i këtyre standarteve siguron se shërbimi civil do të vazhdojë të jetë një instrument efektiv në përmbushjen e përgjegjësive të veta, dhe në përmbushjen e aspiratave të publikut në mbarë botën.

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Prof.Dr.FATMIRE LUMANI – UNIVERSITETI SHTETËROR I TETOVËS

MBIKQYRJA, ORGANET KOMPETENTE PËR KRYERJEN E MBIKQYRJES (KONTROLLIT) DHE AKTET E ORGANEVE TË ADMINISTRATËS SHTETËRORE

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ABSTRACT

The paper "Monitoring, competent authorities for carrying out surveillance (control) and acts of state administration bodies" includes a scientific research becomes legal regulations, in particular acts of state administration bodies, as well as the competent bodies that carry out supervision over the work of the state administration bodies.

Supervision is an activity which consists of: monitoring, control, evaluation of compatibility of acts, activities, behavior rules and regulations adopted. The main purpose of supervision (control) is the protection and realization of the principle of legality.

In the paper the methodology used specific legal (normative) research.

In the legislative field surveillance, the competent authorities to conduct surveillance and acts of state administration bodies, there is an administrative unique code, so the status and activity of organs administarive regulated by different laws. As a result, it is known to have legislation, but not codified. As a result, there is a need for legislation to codify in a unique code, which would be obvious and would be offered to entities in need.

Keywords: Surveillance; authorities to conduct surveillance; administrative acts;

ABSTRAKT

Punimi “Mbikqyrja, organet kompetente për kryerjen e mbikqyrjes (kontrollit) dhe aktet e organeve të administratës shtetërore” përfshin një hulumtim shkencor që i bëhet rregullativës ligjore, në veçanti akteve të organeve të administratës shtetërore, si dhe organeve kompetente që kryejnë mbikqyrje mbi punën e organeve të administratës shtetërore.

Mbikqyrja është veprimtari e cila përbëhet nga: përcjellja, kontrolli, vlerësimi i pajtueshmërise së akteve, veprimtaria, sjellja me rregullat dhe dispozitat e miratuara. Qëllimi kryesor i mbikqyrjes (kontrollit) është mbrojtja dhe realizimi i parimit të ligjshmërisë.

Në punim përdoret metodologjia e posaçme juridike (normative) e kërkimit shkencor.

Në fushën legjislative të mbikqyrjes, organeve kompetente për kryerjen e mbikqyrjes dhe aktet e organeve të administratës shtetërore, nuk ka një kod unik administrativ, andaj statusi dhe veprimtaria e organeve administarive, rregullohet me ligje të ndryshme. Si rezultat i kësaj, ajo shquhet me një legjislacion të pasur, por të pa kodifikuar. Si rezultat i kësaj, ndihet nevoja për një legjislacion të kodifikuar në një kod unik, i cili do të ishte i qartë dhe do t’u ofrohej subjekteve në nevojë.

Fjalë kyçe: Mbikqyrja; organet kompetente për kryerjen e mbikqyrjes; aktet administrative;

I.MBIKQYRJA MBI PUNËN E ORGANEVE TË ADMINISTRATËS SHTETËRORE

Pas pavarësimit të Republikës së Maqedonisë nga ish federata Jugosllave në v.1991, Republika e Maqedonisë (shkurt RM) iu rrek reformimit të legjislacionit për mbikqyrje, për organet kompetente për kryerjen e mbikqyrjes (kontrollit) dhe akteve të organeve të administratës shtetërore. Ajo hasi në një proces të vështirë, sepse u përball me një numër të madh të ligjeve të cilat nuk i përshtateshin rendit të ri shtetëror, hasi me një administratë joefikase, byrokratike, të koruptuar, të stërngarkuar, etj. Republika e Maqedonisë, ndonëse jo në tempon dhe në nivelin e duhur, vazhdoi me reformat edhe pas miratimit të Marrveshjes Kornizë të Ohrit të vitit 2001, shkaku i përmbushjes së disa kritereve që dolën nga kjo marrëveshje, si dhe me qëllim për anëtarësim në UE. Republika e Maqedonisë me anë të kësaj marrëveshje Kornizë vendos qytetarin në qendër të sistemit kushtetues dhe politik.339

Edhe pse janë bërë mjaft lëvizje në këtë drejtim, nevoitet edhe shumë punë, me qëllim të plotësimit të kritereve të duhura për funksionimin e organeve të administratës shtetërore si një administratë efikase, demokratike, transparente, etj. Sipas të dhënave statistikore në RM, në organet administrative janë punësuar mbi 160 mijë persona, numër ky shumë i madh, në krahasim me popullatën e vendit. Kushtetuta e Republikës së Maqedonisë, vetëm parimisht e përcakton organizimin e administratës.340

Administrata shtetërore, përbëhet nga ministritë dhe organet e tjera të administratës dhe organizatat e caktuara me ligj. Do të thot, organet e administratës shtetërore janë pjesë e pushtetit ekzekutiv. Ato krijohen në njësitë dhe fushat të cilat janë të rëndësishme për funksionimin e shtetit dhe realizimin efikas të të drejtave dhe detyrimeve të qytetareve dhe personave juridike. Qeveria si bartëse e pushtetit ekzekutiv, e drejton veprimtarinë e organeve shtetërore dhe bën mbikqyrjen e veprimtarisë së tyre.341

Sipas Ligjit342 administra shtetërore e Republikës së Maqedonisë përbëhet nga:

1)Ministritë;

2)Organet e tjera të administratës shtetërore;

3)Organizatat administrative;

Mbikqyrja e administratës në sistemet juridike bashkëkohore, por edhe në Republikën e Maqedonisë paraqet: mbikqyrja e administratës nga organi përfaqësues; mbikqyrja e administratës nga avokati i popullit; mbikqyrja e cila kryhet brënda vet administratës; mbikqyrja e administratës nga ana e gjykatave dhe format e ndryshme të iniciativës qytetare.343

Qëllimi kryesor i mbikqyrjes (kontrollit) është mbrojtja dhe realizimi i parimit të ligjshmërisë. Sipas ksaj, mbikqyrja që bëhet në punën e organeve të administratës shtetërore, përfshin mbikqyrjen mbi ligjshmërinë dhe efikasitietin e punës së tyre.

339 Mersim Maksuti, E drejta kushtetuese e Republikës së Maqedonisë, faq.124

340 Neni 95, 96, 97 i Kushtetutës RM 1991

341 Fatmire Lumani, E drejta kushtetuese, Tetovë, 2014, faq.258

342 Ligji për organizimin dhe veprimtarinë e organeve të administratës shtetërore, neni 5, (Gazeta zyrtare e RM-së, nr.58/2000)

343 Bajram Pollozhani, Esat Stavileci, Emir Dobjani, Lazim Salihu, *E drejta administrative aspekte krahasuese*, Shkup, 2010, fq.185

Mbikqyrja është veprimtari e cila përbëhet nga: përcjellja, kontrolli, vlerësimi i pajtueshmërise së akteve, veprimtaria, sjellja me rregullat dhe dispozitat e miratuara.

Mbikqyrja në organet e administratës shtetërore, para së gjithash bëhet nga ana e qeverisë, e cila është bartëse e pushtetit ekzekutiv.

Poashtu mbikqyrja bëhet edhe në: ndërmarrjet publike, shërbimet dhe institucionet publike, mbi personat fizik dhe juridik, të cilëve me ligj u është besuar të kryejnë autorizime publike.

Nëse Qeveria, vlerëson se një dispozitë e caktuar, të cilën e ka sjellur një Ministër, nuk është në pajtueshmëri me kushtetutën, ligjin ose me ndonjë dispozitë tjetër, mundet që për këtë, ta udhëzojë ministrin që ta ndalojë ekzekutimin e dispozitës dhe ministrit t'i propozojë që në afat të caktuar ta ndryshojë ose ta tërheq dispozitën.

Poashtu Qeveria ka të drejte dhe obligim të anulojë dhe shfuqizojë dispozitën ose ndonjë akt tjetër të ministrive, organeve të administratës shtetërore dheorganizatave administrative.

Sipas ligit, organet e administratës shtetërore janë edhe vet subjekte të kontrollit, respektivisht bartës të kontrollit, në rastet kur kryen kontrollin mbi ligjshmërinë dhe efikasitetin e punës së: organeve më të ulta të administratës shtetërore; ndërmarrjeve publike; shërbimeve publike; enteve; personave fizik e juridik, që me ligj u është besuar kryerja e autorizimeve publike.

Qeveria e kryen mbikqyrjen (kontrollin) ndaj punës së ministrive, ndërsa ministritë, e kryejnë kontrollin mbi punën e organizatave në përbërjen e tyre, ndaj organeve të pavarura të administratës shtetërore dhe organizatave administrative, në fushat administrative, për të cilat janë kompetente.

Poashtu, organet e administratës shtetërore kryejnë kontrollin mbi ligjshmërin e punës së organeve të njësive të vetqeverisjes lokale dhe qytetit te Shkupit.

Nëse bëhet fjalë për kontrollin e punës në kompetencë të vetqeverisjes lokale, Qeveria ka të drejtë: të anulojë ose prish dispozitën apo aktin e Këshillit, ose të ndonjë organi të vetqeverisjes lokale, apo të qytetit të Shkupit.

Zhvillimi i kapaciteteve të përgjithshme të administratës publike është një çështje me një rëndësi shumë të madhe jo vetëm për nevojat e brendshme të Republikës së Maqedonisë, por edhe për aderimin në strukturat evropiane.344

II.KONTROLLI INSPEKTUES (REPRESIV)

Sipas ligjit me kontroll inspektues (represiv) nënkuptojmë kontrollin mbi zbatimin e ligjit dhe dispozitave të tjera nga ana e organeve shtetërore, ndërmarrjeve publike, shoqatave tregtare, enteve si dhe personave fizik e juridik.

Kontrollin inspektues, mund ta bëjnë, ekskluzivisht, organet e qeverisjes edhe ate nëpërmjet inspektorëve.

Kontrolli inspektues, quhet represiv për shkak të karakterit të mjeteve dhe sanksioneve që mund të zbatohen, për t'u mënjanuar shkeljet e ligjeve dhe dispozitave të tjera.

[344] Nacionalna strategija za integracija na Republika Makedonija vo Evropskata Unija, 207

Legjislacioni i Republikës së Maqedonisë, përcakton se, në përbërje të ministrive, mund të themelohen Inspektoratet, si organe të cilët janë të specializuara për kryerjen e kontrollit në fusha të caktuara.

Në përbërje të Ministrive në Republikën e Maqedonisë, ekzistojnë këto inspektorate:

-Në Ministrinë e Drejtësisë: Inspektorati shtetëror administrativ;

-Në Ministrinë e Financave: Inspektorati shtetëror revizor;

-Në Ministrinë e Ekonomisë: Inspektorati Shtetëror i tregut; si dhe Inspektorati shtetëror për inspektim teknik;

-Në Ministrinë për Bujqësi, Pylltari dhe Hidroekonomi: Inspektorati shtetëror i bujqësisë; si dhe Inspektorati shtetëror i pylltarisë dhe gjuetisë;

-Në Ministrinë për Shëndetësi: Inspektorati shtetëror sanitar dhe shëndetësor;

-Në Ministrinë e Arsimit dhe Shkencës: Inspektorati shtetëror i arsimit;

-Në Ministrinë për punë dhe politikë sociale: Inspektorati shtetëror i punës;

-Në Ministrinë e vetqeverisjes lokale: Inspektorati shtetëror për vetqeverisje lokale;

-Në Ministrinë e transportit dhe lidhjeve: Inspektorati shtetëror për transport; Inspektorati shtetëror për ndërtimari dhe urbanizëm; Inspektorati shtetëror komunal;

-Në Ministrinë e Mjedisit jetësor dhe Planifikimit hapsinor: Inspektorati shtetëror për ambientin jetësor.

III. UDHËHEQJA ME ORGANET E ADMINISTRATËS SHTETËRORE

Sistemi shtetëror në Maqedoni paraqitet në dy segmente dhe atë në segmentin politik ekzekutiv dhe pushtetin administrativ.345 Në botë njihen dy sisteme dhe atë sistemi i karrierës dhe sistemi i vendit të punës.346 Me Ligjin për nëpunës shtetëror, të vitit 2000, në RM njihet sistemi i vendit të punës.

Sipas Kushtetutës së RM (n.95), administrata shtetërore, përbëhet nga ministritë dhe organet të tjera të përcaktuara me ligj.347

Me punën e ministrive udhëheqin ministrat.348 Ministrat zgjidhen nga Parlamenti i RM. Kompetetncat e ministrit janë: ai e përfaqëson ministrinë, organizon dhe siguron punë të ligjshme dhe efikase, sjell dispozita dhe akte të tjera për të cilat është i autorizuar me ligj dhe ndërmerr masa të tjera në kompetencë të ministrisë. Ai vendos për të drejtat, obligimet dhe përgjegjësitë e nëpunësve shtetërorë dhe të punësuarve tjerë në ministri, për statusin e nëpunësve shtetërore, nëse me ligj nuk është përcaktuar ndryshe.

Ligji përcakton se, me propozim të Kryetarit të qeverisë (Kryeministrit), Kuvendi i RM, emëron dhe shkarkon zëvendës të ministrave, nëpër ministritë përkatëse, i cili e zëvendëson ministrin, me tërë autorizimet dhe përgjegjësitë në udhëheqjen, kur nuk është në gjendje të kryejë funksionin e tij.

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[345] Etem Aziri, *Sistemi politik i Republikës së Maqedonisë*, fq.239,
[346] http://www.ads.gov.mk/WBStorage/Files/poglavje18_Al.pdf
[347] Kushtetuta e Republikës së Maqedonisë, v.1991,
[348] Ligji për organizimin dhe punën e organeve të administratës shtetërore, n.47, Gazeta zyrtare e RM, 58/2000,

Qeveria, emëron dhe shkarkon edhe drejtorët, të cilët udhëheqin me punën e organit të pavarur të administratës shtetërore, organizimin e administratës dhe me organin në përbërje të ministrisë, si edhe zëvendës drejtorët, nëse me ligj nuk është përcaktuar ndryshe. Nëpër ministri, qeveria emëron një sekretar shtetëtëror, si nëpunës shtetëror më i lartë.

IV.AKTET E ORGANEVE TË ADMINISTRATËS SHTETËRORE

Në Republikën e Maqedonisë, janë bërë edhe reforma në sjelljen e akteve të organeve të administratës shtetërore. Reforma, kërkon ristrukturim organizativ brenda organeve të ndryshme të administratës të njësive ose nëpunësit shtetëror që kryen shërbime apo që janë të punësuar në organe kyçe të institucioneve të administratës si për shembull në përgaditjen e akteve, në menaxhimin financiar, në teknologjinë e informacionit ose komunikimit institucional në burime njerëzore, etj.349

Sipas Ligjit për kontestet administrative, me akt administrativ kuptojmë aktin mbi të cilin organi shtetëror apo organizata e cila përmban autorizime publike vendos për një të drejtë, obligim apo interes për persona të caktuar apo të personave juridik për çështhje të caktuara administrative.350

E drejta administrative, përcakton se çfarë akte kanë të drejtë të sjellin organet e administratës shtetërore. Kur për këtë janë të autorizuara me ligj351 ato, mund të sjellin:

1.Akte administrative të përgjithshme;

2.Akte administrative konkrete (individuale);

3.Akte administrative materiale.352

1.AKTET E PËRGJITHSHME ADMINISTRATIVE

1.Aktet e përgjithshme administrative, janë norma të përgjithshme juridike, gjegjësisht rregullat të përgjithshme abstrakte juridike, të cilat u dedikohen rasteve të shumta. Me to përcaktohet mënyra e zbatimit të ligjeve dhe akteve të tjera.

Kompetente për sjelljen e ligjeve është Kuvendi i Republikës së Maqedonisë, si organ me i lartë legjislativ. Ndërsa sjellja e akteve të përgjithshme administrative, paraqet veprimtarinë normative të organeve të administratës shtetërore. Pra, organet e administratës shtetërore, sjellin lloje të ndryshme të akteve të përgjithshme administrative, si në vijim: 1) rregullore; 2) urdhëresa; 3) udhëzime; 4) plane dhe programe; 5) këshilla profesionale (instrukcione të obligueshme) me karakter intern;

Duhet cekur se veprimtaria normative e organeve të administratës shtetërore është e kufizuar në sjelljen e akteve nënligjore (legjislatura sekondare), pasi në të përpunohen dispozitat e veçanta të ligjeve dhe e dispozitave, për shkak të realizimit më të shpejt dhe më efikas.

Me aktet e përgjithshme administrative nënligjore: nuk mundet në mënyre origjinere dhe burimore, të përcaktohen të drejtat dhe obligimet për qytetarët dhe personat e tjerë juridik dhe as të përcaktohen kompetencat e organeve të tjera. Me to, mundet vetëm të përpunohet dhe precizohet, mënyra e realizimit të të drejtave dhe obligimeve, të përcaktuara me ligj.

[349] Strategija za reformata na javnata administracija vo Republika Makedonija (2010-2015) 21 dekemvri 2010 godina, str.24
[350] Ligji për kontestet administrative, (Gazeta zyrtare nr.62/2006)
[351] Ligji për kontestet administrative (Gazeta zyrtare nr.62/2006),
[352] Organet e administratës shtetërore, fq.129, *http://aa.mk/WBStorage?Files/poglavje09-Al.pdf*

1)Rregullorja:

Cekëm se rregullorja është akt i përgjithshëm administrativ. Rregullorja është akti më i rëndësishëm i organeve të administratës shtetërore.

Me rregullore përcaktohen dhe përpunohen pjesë të caktuara të ligjit dhe të dispozitave të tjera për ekzekutimin e tyre. Me rregullore mund të rregullohet edhe organizimi i brendshëm i punës në organet e administratës shtetërore.

2)Urdhëresa

Urdhëresa, është akt i pergjithshëm administrativ dhe nuk u dedikohet personave të caktuar, por të gjithë personave të territorit të caktuar, të cilët gjenden në situatë konkrete të caktuar. Me urdhëresë urdhërohet apo ndalohet veprimi në situatë të caktuar, e cila ka karakter të përgjithshëm për ekzekutimin e ligjeve dhe të dispozitave të tjera, (n.56).

3)Udhëzimi

Me udhëzim, parashihet mënyra e veprimit, në zbatimin e dispozitave të veçanta të ligjeve dhe të akteve të tjera. Udhëzimi parasheh mënyrën e punës të organeve administrative dhe subjekteve të tjera që u dedikohet ligji.

4)Plani dhe programi

Me plan dhe program, përcaktohen dhe përpunohen çështje të veçanta për zbatimin e ligjeve dhe dispozitave të tjera për të cilat është e nevojshme përcaktimi i afateve dhe dinamika për zbatimin e tyre.

5)Këshillat profesionale (instruksionet e obligueshme)

Organet e administratës shtetërore mund të sjellin edhe këshilla profesionale (instrukcione të obligueshme) me karakter intern, të dedikuara për organizimin profesional dhe punën profesionale të punëtoreve dhe mënyrën e ekzekutimit të punëve të caktuara administrative. Kompetent për sjelljen e tyre është Ministri.

2.AKTET ADMINISTRATIVE KONKRETE (INDIVIDUALE)

Aktet konkrete administrative të organeve të administratës shtetërore janë vendimet, të cilat sillen në procedurë administrative dhe vendosin për çështje të veçanta, si dhe në raste të tjera të përcaktuara me ligj dhe dispozitë tjetër.

Me aktet konkrete, vendoset për të drejtat, obligimet, interesat e qytetarëve dhe të personave juridik. Me to drejtpërdrejtë ekzekutohen ligjet dhe dispozitat e tjera, respektivisht, normat ligjore të përgjithshme materiale zbatohen në raste konkrete individuale, në raste konkrete konstatohet, a ekziston ose a janë plotësuar kushtet e parapara me ligj, për njohjen e ndonjë të drejte, interesi ose për detyrimin e ndonjë obligimi të qytetarit dhe personit juridik.

Sipas ndarjes standarde, aktet konkrete administrative ndahen në: 1) pozitive, 2) negative, 3) konstituive, 4) deklarative, 5) diskrete, 6) aktevete të lidhura me ligj, 7) akteve kolektive administrative.

1)Aktet konkrete pozitive, janë ato akte me të cilat krijohet, ndryshohet apo ndërpritet ndonjë situatë e caktuar juridike apo marrëdhënie juridike.

2)Aktet negative juridike, janë ato akte konkrete administrative, me të cilat nuk kryhet asnjë ndryshim në marrëdhënjet administrative - juridike ekzistuese.

3)Aktet administrative konstituive dhe deklarative, bëjnë pjesë në grupin e akteve pozitive për arsye se edhe me njërën edhe me tjetrën krijohen, ndryshohen apo ndërpriten marëdhëniet administrativo të caktuara juridike.

Aktet administrative konstituive, janë ato akte, me të cilat krijohen, ndryshohen apo ndërpriten marrëdhëniet apo situatat administrativo juridike.

4)Me aktet administrativo juridike deklarative, deklarohet se janë paraqitur kushte të caktuara juridike, në bazë të të cilave me fuqi të ligjit, krijohen, ndryshohen apo ndërpriten marrëdhënie të caktuara administrativo juridike.

5)Aktet administrativo juridike diskrete, sillen, kur me ligj, lejohet një shkallë më e lartë e lirisë gjatë zgjidhjes së punëve administrative, gjegjësisht jepet zgjidhje, në mes më shumë alternativave apo varianteve, gjatë zgjidhjes së rasteve konkrete.

6)Aktet e lidhura me ligj, janë ato akte, të cilat sillen në bazë të kushteve reptësisht të caktuara me ligj dhe janë me përmbajtje të përcaktuar. Gjatë sjelljes së tyre, liria në zgjedhjen dhe vendosjen për rastin konkret, është plotësisht restriktive.

7)Aktet administrative të përmbledhura apo kolektive janë ato akte, në sjelljen e të cilëve, marrin pjesë dy ose më shumë organe. Ato mund të jenë vendime për të cilin vendosin dy ose më shumë organe. Në këto raste, secili nga organet vendos veçmas për lëndën, por jepet vetëm një vendim në bazë të marrëveshjes së këtyre dy organeve.

3.AKTET MATERIALE TË ORGANIT TË ADMINISTRATËS SHTETËRORE

Aktet materiale administrative, i sjellin organet e administratës shtetërore. Ato janë veprime administrative, që ndërmarrin organet gjatë kryerjes së punëve nga kompetenca e tyre. Gjatë kryerjes së punëve administrative nuk krijojnë pasoja juridike, por shërbejnë si bazë për realizimin e situatave juridike. 353

Aktet administrative materiale ndahen në:

Aktet materiale të dokumentimit, me të cilat shënohen dukuri të ndryshme, veti personale, fakte të tjera, si dhe jepen të dhëna për ato fakte dhe cilësi.

Aktet e dokumentimit mund të jenë:

-Aktet materiale të evidentimit, me të cilat shënohen dukuritë, vetitë dhe faktet (regjistrat, kartotekat, listat, listat zgjedhore, etj);

-Aktet materiale për njoftim, me të cilat organet e administratës shtetërore bëjnë njoftimin e personave të interesuar për gjendjet, faktet dhe dukuritë e ndyshme dhe shpallin akte juridike.

-Aktet materiale për marrjen e deklaratave, me të cilat organet e administratës shtetërore pranojnë parashtresa dhe kërkesa të tjera, deklarata doganore, fletparaqitje tatimore, dëgjimi i dëshmitarëve, i ekspertëve, paraqitja e vdekjes, kurorëzimit, lindjes së fëmijës, etj.

Aktet e tjera materiale, ku bëjnë pjesë të gjitha veprimet administrative tjera të lidhura me punë të tjera profesionale, teknike dhe lloji tjetër të punëve të organeve të administratës shtetërore.

5. SJELLESIT E AKTEVE NË ORGANET E ADMINISTRATËS SHTETËRORE

[353] Organet e administrates shtetërore, faq.131, shih: http://aa.mk/WBStorage/Files/poglavje09_Al.pdf

Aktet e organeve të administratës shtetërore, i sjellin ministrat të cilët udhëheqin me ministritë si dhe drejtorët e organeve të pavarura të administratës shtetërore (organe të tjera të administratës shtetërore dhe organizatave administrative).

Ministri i cili udhëheq me ministrinë, i sjell edhe aktet e organeve të cilat janë në përbërje të asaj ministrie, me propozim të drejtorit i cili udhëheq me organin në përbërje të asaj ministrie.

PËRFUNDIM

RM, pas pavarësimit, hasi në një proces të vështirë, pasi u përball me një numër të madh të ligjeve të cilat nuk i përshtateshin rendit të ri shtetëror, hasi me një administratë joefikase, byrokratike, të koruptuar, të stërngarkuar, etj. Në fushën përkatëse legjislative të mbikqyrjes, organeve kompetente për kryerjen e mbikqyrjes dhe aktet e organeve të administratës shtetërore, mungon një kod unik administrativ, andaj statusi dhe veprimtaria e organeve administarive, rregullohet me ligje të ndryshme.

Republika e Maqedonisë, ndonëse jo në tempon dhe në nivelin e duhur, vazhdoi me reformat edhe pas miratimit të Marrveshjes Kornizë të Ohrit të vitit 2001, shkaku i përmbushjes së disa kritereve që dolën nga kjo marrëveshje, si dhe me qëllim për anëtarësim në UE. Edhe pse janë bërë mjaft lëvizje në këtë drejtim, nevoitet edhe shumë punë, me qëllim të plotësimit të kritereve të duhura për funksionimin e organeve të administratës shtetërore si një administratë efikase, demokratike, transparente, e pa koruptuar, etj.

Rekomandime

- Mbikqyrje efektive, transparente, joselektive nga organet kompetente për kryerjen e mbikqyrjes (kontrollit);

-Unifikimi i legjislacionit të sferës administrative në një kod unik administrativ, i cili do të ishte i qartë dhe do t'u ofrohej subjekteve në nevojë;

-Harmonizimi i legjislacionit të RM me legjislacionin e UE në numrin e ministrive dhe realizimi i reformave. Reduktimi i numrit të Ministrive, në numër më të vogël dhe më efikas;

-Zbatimi i plotë i Marrëveshjes Kornizë të Ohrit, si kusht për garantimin dhe realizimin e të drejtave të barabarta të bashkësive etnike;

-Zvogëlimi i të punësuarve në organet e administratës shtetërore;

-Të bëhet depolitizimi dhe departizimi i administratës shtetërore;

Bibliografia:

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- Fatmire Lumani, E drejta kushtetuese, Tetovë, 2014;

- Mersim Maksuti, E drejta kushtetuese e Republikës së Maqedonisë;

-Kushtetuta e Republikës së Maqedonisë, v.1991;

-Ligji për organizimin dhe veprimtarinë e organeve të administratës shtetërore, neni 5, (Gazeta zyrtare e RM-së, nr.58/2000);

- Nacionalna strategija za integracija na Republika Makedonija vo Evropskata Unija;

-Strategija za reformata na javnata administracija vo Republika Makedonija (2010-2015) 21 dekemvri 2010 g.

-Ligji për kontestet administrative, (Gazeta zyrtare nr.62/2006);

-Organet e administratës shtetërore, fq.129, http://aa.mk/WBStorage?Files/poglavje09-Al.pd

f-http://www.ads.gov.mk/WBStorage/Files/poglavje18_Al.pdf

MSC. OSMAN CUCOVIĆ, DR.SC. ANITA CUCOVIĆ – GARANTIMI I TË DREJTAVE DHE LIRIVE TË NJERIUT SIPAS KUSHTETUTËS SË KOSOVËS

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Kolegji Fama-Prizren

Abstrakt

Lirite dhe të drejtat e njeriut kanë qenë për diskutim dhe janë edhe sot aktuale në tërë botën . Pas shpalljes së Pavarësie nga institucionet e Kosovës, është hartuar Kushtetuta e Republikës e cila mbron liritë dhe të drejtat e njeriut. Është e një standardeje të larte, me qensë sipas disa sondazheve në disa çeshtje politike nuk është e specifikuar si duhet, apo ndoshta është nga qarqet e ndryshme per interesa të tyre po e interpretojnë në një menyre. Megjithëse në kete punim fokusi do të jetë paraqitja e Lirive dhe të drejtave të njeriut sipas Kushtetutës, e që ne Kushtetun e Republikës së Kosovës gjinden në kapitullin e dyte.
Cili është roli i mbrojtjes se gjinise, pastaj te drejtat e pakicave kombetare, etj. Komentimi modest i neneve sipas mundesise dhe njohurive të deri tanishme të autorit.

Fjalët kyçe: Te drejtat e njeriut, Kushtetuta, Shkelje, Nenet, Republika e Kosovës

Hyrje

Kushtetuta e Kosovës, e 15 Qershorit, 2008, ashtu sikurse edhe kushtetutat e tjera të vendeve demokratike, përbën aktin më të lartë dhe më sublim të shtetit. Kjo Kushtetutë është mbështetur në standardet më të larta të shteteve moderne dhe demokratike për të drejtat dhe liritë themelore . Në kontekstin e saj, të drejtat e njeriut janë të përfshira në Kapitullin II, respektivisht nga neni 21 deri në nenin 56.
Transformimet e mëdha social-politike të ndodhura në vendin tone shtruan si një kërkesë imperative, të domosdoshme rritjen e rolit të individit në shoqërinë e re demokratike, në pjesëmarrjen e tij në qeverisjen e vendit. Për realizimin me sukses të këtij roli të individit, të shtetasit shqiptar në jetën politike dhe administrative të vendit, në radhë të parë kërkohej vendosja e garancive ligjore dhe institucionale edhe për të drejtën e informimit, si një e drejtë themelore e njeriut.
Garantimi sa më i mirë dhe sa më i plotë i parimeve të demokracisë, i parimeve të shtetit të së drejtës dhe i të drejtave dhe lirive themelore të individit, përbëjnë sot ndër problemet më të mprehta dhe sfidat më të rëndësishme jo vetëm për shtetet që janë në rrugën e demokracisë, por edhe për vetë shtetet me demokraci të konsoliduar. Dhe kjo, veçanërisht në demokracitë e reja, bëhet jo thjesht për të garantuar formalisht paqen dhe sigurinë sociale mes shtresave të ndryshme të popullsisë, e aq më pak, thjesht për shkak të integrimit. Realisht, kjo ndodh për faktin se normalisht, në demokracinë si formë të qeverisjes, individi, të drejtat, interesat, siguria dhe mirëqenia e tij, janë dhe duhet të jenë në mënyrë të vazhdueshme në qendër të vëmendjes së të gjithë pushtetit shtetëror në tërësi.

Kuptimi i Lirive dhe të Drejtave të Njeriut

Aspirata për të mbrojtur dinjitetin njerëzor të të gjitha qenieve njerëzore, paraqet thelbin e konceptit për të drejtat e njeriut. Kjo aspiratë e vendos qenien njerëzore në qendër të interest. Kjo aspiratë është e bazuar në sistemin e përbashkët universal të vlerave të përkushtuara të të drejtës për jetë, si një e drejtë e paprekshme, dhe ofron një kornizë për ndërtimin e sistemit të të drejtave të njeriut, të mbrojtur nga normat dhe standardet e pranuara ndërkombëtarisht.
Garantimi dhe promovimi i të drejtave të njeriut kërkon standarde më të larta të mbrojtjes, duke qenë se në shumë raste janë vetë autoritetet shtetërore që shkelin të drejta e njeriut. Ato u zhvilluan pas

ngritjes së Organizatës së Kombeve të Bashkuara. Karta e OKB-së dhe miratimi i Deklaratës së të Drejtave të Njeriut, shënuan shkëndijat e para në kuadër të mbrojtjes dhe garantimit të këtyre të drejtave. Të drejtat e njeriut filluan të trajtohen me më shumë seriozitet dhe të përkufizohen në aspektin ndërkombëtar. Ky trend vazhdoi edhe me miratimin e Konventës Evropiane për të Drejtat e Njeriut, të konkretizuar më tej edhe nga jurisprudenca e Gjykatës Evropiane e të Drejtave të Njeriut.
Neni 1 i Deklaratës Universale për të Drejtat e Njeriut (UDHR), të miratuar nga Kombeve të Bashkuara në vitin 1948, u referohet shtyllave kryesore të sistemit të të drejtave të njeriut, të cilat janë liria, barazia dhe solidariteti. Liritë, siç janë liria e mendimit, ndërgjegjes, besimit, sikurse edhe ajo e opinionit dhe shprehjes, janë të mbrojtura nga të drejtat e njeriut. Në mënyrë të ngjashme, të drejtat e njeriut garantojnë barazi, siç është mbrojtja e barabartë kundër të gjitha formave të diskriminimit për të gëzuar të gjitha të drejtat e njeriut, duke përfshirë edhe barazinë e plotë ndërmjet grave dhe burrave, e të tjerë. Sigurisht "të drejtat e njeriut" nuk janë një fenomen i shfaqur kohëve të fundit. Koncepti i të drejtave të njeriut është po aq i vjetër sa edhe vete nocioni i shtetit dhe i së drejtës. Me fjalë të tjera, të drejtat e njeriut si koncept e kanë origjinën e tyre që me fillimin e qytetërimit njerëzor. Me kalimin e kohës, ky nocion është përpunuar, saktësuar e zgjeruar në mënyrë të vazhdueshme. Megjithatë, përgjithësisht, me termin "të drejtat e njeriut" janë konsideruar përgjithësisht të drejtat themelore dhe të patjetërsueshme që janë të domosdoshme për jetën. Sidoqoftë, edhe sot nuk ka një perkufizim shterues mbi përmbajtjen e të drejtave të njeriut.
Në fakt, përpjekje për përkufizimin e termit "Të Drejta të Njeriut" ka pasur në vazhdimësi. Një nga shumë përkufizimet e tilla që mendoj se paraqet interes, është ai i autorit të mirënjohur Umozurike, i cili thekson ndër të tjera se të drejtat e njeriut janë ato të drejta ".... që komuniteti ndërkombëtar i njeh se i përkasin të gjithë individëve, thjesht nga fakti i të qenit njeri/qënie njerëzore".354
Spinoza flet për të drejtat e njeriut dhe liritë themelore duke u përqendruar sidomos në njohjen e lirisë së mendimit dhe të fjalës, të cilat i lartëson si vlera të pazëvendësueshme në jetën shoqërore dhe politike, dhe se shprehja e lirë e mendimit dhe fjalës nuk duhet të ishte në kundërshtim me sistemin demokratik, pavarësisht se është rezultat i drejtpërdrejtë i këtij sistemi. Këtë të drejtë ai e konsideronte si jo të rrezikshme për paqen sociale të shtetit, aspak armiqësore për ata që mbanin pushtetin, përkundrazi, shumë të dobishme, sepse në shprehjen e lirë të mendimit dhe fjalës manifestohet liria e njerëzve dhe qytetarëve si qëllim i shtetit demokratik. 355
Sipas Hugo Grocit, e drejta natyrore, duke qenë urdhër ose rregull epror, është njëkohësisht e pandryshueshme, pasi as vetë Perëndia nuk mund ta ndryshojë. Po sipas tij, autoriteti moral i së drejtës natyrore sigurohet për shkak se ajo ka prejardhje hyjnore. Perëndia vetë ka vendosur kufijtë e aktivitetit të njeriut politik. 356
Autorë të shumtë theksojnë sot se një formë e njohur e interpretimit të të drejtës natyrore është një qasje klasike, është një tregues se e drejta natyrore ekziston në kuptimin absolut dhe të pandryshueshëm.

Garancitë Kushtetuese për të Drejtat e Njeriut në Republikën e Kosovës

Kushtetuta e Kosovës në kapitullin e dytë i inkorporon të drejtat civile dhe politike (neni 23-48)357. Ndalimet kundër heqjes së lirisë , skllavësinë, torturës, burgosjet arbitrare, dhe diskriminimit racor janë të përfshira në mënyrë eksplicite në Deklaratën Universale131, si dhe në instrumente të tjera ndërkombëtare. Ndërsa parimet e ndalimit të genocidit dhe shkeljeve të rënda të të drejtave të njeriut janë nënkuptuar në dispozitat e Deklaratës. Nenet 1, 2, 6, dhe 7 shprehin të drejtën themelore të trajtimit të barabartë dhe jo-diskriminues në lidhje me të drejtat e garantuara "pa dallim të çfarëdo

[354] U.O. Umozurike, Introduction to International Law (Ibadan: Spectrum Law Publishing 1993), p.141.
[355] Gruda, Zejnullah, Mbrojta ndërkombëtare e te drejtave te njeriut, Prishtinë, 2010, f. 5.2.
[356] Cary, J. Nederman, Natural Law, An introduction to Legal Philosophy , (Transaction Publishers, New Brunswick, 2009) p. 71-71. http://books.google.com/books?id=fftZM_scbu4C&pg=PA53&lpg=PA53&dq=Chroust,+A.+(1943)+%22Hugo+Grotius+and+the+Scholastic+Natural+Law+Tradition,%22+The+New+Scholasticism,+XVII.&source=bl&ots=soUaki3KAY&sig=Xa18H-OfyuHW_tTFh-spzS1ngC4&hl=en&sa=X&ei=LpAoUZCoPMvMsgbygoDoBA&ved=0CEIQ6AEwAw#v=onepage&q=Chroust%2C%20A.%20(1943)%20%22Hugo%20Grotius%20and%20the%20Scholastic%20Natural%20Law%20Tradition%2C%22%20The%20New%20Scholasticism%2C%20XVII.&f=false . Accessed on February 10 , 2015.
[357] KUSHTETUTA E REPUBLIKËS SË KOSOVËS, Kapitulli II (NENI 21 – 56)

lloji" diskriminimi. Pranimi i drejtës për trajtim të barabartë sipas ligjit tashmë është fakt që mund të konstatohet në legjislacionin e çdo vendi. Sigurisht, edhe në lidhje me të drejtat e mbrojtura, shumë praktika shtetërore nuk mbështesin konkluzionin se ka pajtueshmëri ose zbatim të plotë me parimin e barazisë.358
Mbrojta e lirive dhe të drejtave të njeriut janë shtyllë kryesore në funksionimin normal të shteteve demokratike sepse nga respektimi i të drejtave dhe lirive varet drejtpërdrejt zhvillimi politik, ekonomik dhe juridik i një shteti demokratik. Këtë e kanë dëshmuar shtetet euro - perëndimore (skandinave) ku respektimi i lirive dhe të drejtave të njeriut ka arritur në zenit dhe janë shtetet më të fuqishme ekonomike, sociale dhe demokratike.359

Kosova trajtohet si një rast unik në lidhje me procedurat e hartimit të kushtetutës, sepse në të janë inkorporuar pjesë nga kushtetuta dhe konventa të ndryshme ndërkombëtare. Mbi bazën e kësaj analize, mund të arrijmë në konkluzionin se Deklarata Universale, ICCPR dhe ECHR janë pika referimi të hartuesve të Kushtetutës se Kosovës. Kjo mund të konstatohet nga përmbajtja e dispozitave të saj, veçanërisht në nenet që përcaktojnë të drejtat dhe liritë themelore, përkatësisht nenet 21 – 56 të Kushtetutës së Kosovës.
Në nenin 21, ku parashikohen Parimet e Përgjithshme, të drejtat dhe liritë themelore të njeriut përkufizohen: "të pandashme, të patjetërsueshme, të pacënueshme dhe bazë e rendit juridik të Republikës së Kosovës", ndërsa në nenin 22 ku parashikohen Instrumentet Ndërkombëtare, garantohet zbatim i tyre i drejtpërdrejtë në Kosovë, me prioritet të zbatimit në rast konflikti me normat e brendshme ligjore apo nënligjore, dhe ku përfshihen:

(1) Deklarata Universale për të Drejtat e Njeriut;
(2) Konventa Evropiane për Mbrojtjen e të Drejtave dhe Lirive Themelore të Njeriut dhe Protokollet;
(3) Konventa Ndërkombëtare për të Drejtat Civile e Politike dhe Protokollet e saj;
(4) Konventa Kornizë e Këshillit të Evropës për Mbrojtjen e Pakicave Kombëtare;
(5) Konventa për Eliminimin e të gjitha Formave të Diskriminimit Racor;
(6) Konventa për Eliminimin e të gjitha Formave të Diskriminimit ndaj Gruas;
(7) Konventa për të Drejtat e Fëmijës;
(8) Konventa kundër Torturës dhe Trajtimeve e Ndëshkimeve të tjera Mizore, Ç'njerëzore dhe Poshtëruese.

Nga ky përkufizim normativo - kushtetues dhe nga kjo përfshirje e instrumenteve ndërkombëtare, nënkuptohet qartë fakti se ato duhen respektuar, promovuar dhe mbrojtur nga çdo autoritet publik që ushtron funksionet e tij në Kosovë, pavarësisht faktit se mbrojta e tyre realizohet edhe në sistemin gjyqësor, si dhe nga Gjykata Kushtetuese.

Kushtetuta e Republikës së Kosovës, në nenin 23 ka parashikuar Dinjitetin e Njeriut si të pacënueshëm dhe bazë e të gjitha të drejtave dhe lirive themelore të njeriut.
Pavarësisht situatave të ndryshme, shmangia nga këto të drejta dhe liri themelore nuk është e lejuar në asnjë rrethanë, e në të cilat përshihen:

- Barazia para Ligjit, neni 24, sepse të gjithë janë të barabartë para ligjit dhe çdokush gëzon të drejtën e mbrojtjes së barabartë para ligjit, pa diskriminim;
- E Drejta për Jetën, neni 25, ku sanksionohet ndalimi i dënimit me vdekje;
- Ndalimi i Torturës, Trajtimit Mizor, Ç'njerëzor ose Poshtërues, neni 27;
- Ndalimi i Skllavërisë dhe i Punës së Detyruar, neni 28; (punë e detyruar nuk konsiderohet puna ose shërbimi i përcaktuar me ligj për personat e dënuar me vendim të formës së prerë gjatë vuajtjes së dënimit ose në raste të Gjendjes së Jashtëzakonshme, të shpallur sipas rregullave të përcaktuara me këtë Kushtetutë) ku përshihet edhe ndalimi i trafikimit qenieve njerëzore;

358 Hurst Hannum, "The Status of the Universal Declaration..." vep e cit. f/p. 343.
359 http://www.telegrafi.com/lajme/mbrojtja-e-lirive-dhe-te-drejtave-te-njeriut-element-themelor-ne-funksionimin-e-shtetit-modern-26-4474.html Zbartur me 1 mars ,2015.

- E Drejta e Lirisë dhe Sigurisë, neni 29; (Askush nuk mund të privohet nga liria me përjashtim të rasteve të parashikuara në ligj dhe me vendim të gjykatës kompetente, në rastet e përcaktuara në mënyrë taksative dhe sipas procedurave të përcaktura me dispozita kushtetuese e ligjore);
- E Drejta për Gjykim të Drejtë dhe të Paanshëm, neni 31; (garantimi i mbrotjes së barabartë i të drejtave gjatë procedurave para gjykatave, organeve të tjera shtetërore dhe mbartësve të kompetencave publike).
- Parimi i Legalitetit dhe Proporcionalitetit në çështjet Penale, neni 33; (respektimi I parimit "nullum crimen, nulla poena sine lege" me përjashtim të veprave të cilat në kohën e kryerjes së tyre, sipas së drejtës ndërkombëtare, përbënin genocid, krime lufte ose krime kundër njerëzimit);
- E Drejta për të mos u Gjykuar dy herë për të njëjtën Vepër, neni 34;.
- E Drejta e Martesës dhe Familjes, neni 37;.
- Liria e Besimit, Ndërgjegjes dhe e Fesë, neni 38;

Në të drejtat dhe liritë themelore të njeriut nga të cilat, gjatë shpalljes së gjendjes së jashtëzakonshme, mund të bëhet shmagia deri në masën sa është e domosdoshme, nën rrethanat e parashikuara, përfshihen:

- E Drejta për Mjete Juridike, neni 32;
- E Drejta e Integritetit Personal, neni 26; (e drejta e kontrollit trupor, e drejta që të mos I nënshtrohet trajtimit mjekësor kundër vullnetit të tij/saj, e drejta që të mos marrë pjesë në eksperimente mjekësore ose shkencore, pa pëlqimin paraprak të saj/tij).
- Të Drejtat e të Akuzuarit, neni 30;
- Liria e Lëvizjes, neni 35;
- E Drejta e Privatësisë, neni 36;
- Bashkësitë fetare, neni 39; (themelimi i shkollave fetare, institucioneve bamirëse).
- Liria e Shprehjes, neni 40; (e drejta për të shprehur, për të shpërndarë dhe për të marrë informacione, mendime dhe mesazhe të tjera).
- E Drejta e informimit në Dokumente Publike, neni 41;
- Liria e Mediave, neni 42;
- Liria e Tubimit, neni 43, e drejta për të organizuar tubime, protesta dhe demonstrata, si dhe të drejtën për të marrë pjesë në to.
- Liria e organizimit, neni 44, (të drejtën e secilit për të themeluar një organizatë pa pasur nevojë të sigurojë leje, për të qenë ose për të mos qenë anëtar i një organizate, si dhe për të marrë pjesë në aktivitete të një organizate. Liria për të themeluar sindikata dhe për t'u organizuar).
- Të Drejtat Zgjedhore dhe të Pjesëmarrjes, Neni 45, vota është personale, e barabartë, e lirë dhe e fshehtë.
- Mbrojtja e Pronës, neni 46;
- E Drejta për Arsimin, neni 47;
- Liria e Artit dhe e Shkencës, neni 48;
- E Drejta e Punës dhe Ushtrimit të Profesionit, neni 49;
- Të Drejtat e Fëmijës, neni 50;
- Mbrojtja Shëndetësore dhe Sociale, neni 51. (Sigurimi social themelor, që ka të bëjë me papunësinë, sëmundjen, aftësitë e kufizuara dhe moshën e tretë, rregullohet me ligj.
- Përgjegjësia për Mjedisin Jetësor, neni 52; dhe
- Mbrojtja Gjyqësore e të Drejtave, neni 54.

Kushtetuta e Republikës së Kosovës përmban 33 dispozita që parashikojnë të drejta dhe liri themelore të njeriut, duke përfshirë si kategori të veçantë edhe të drejtat e Komuniteteve dhe Pjesëtarëve të tyre. Duhet theksuar fakti se dispozitat kushtetuse i grupojnë ato në dy kategori: në dispozita nga të cilat nuk mund tëi shangemi në asnjë rrethanë dhe dispozita nga të cilat mund t'i shmangemi përkohësisht në rrethana të caktuara, deri sa të zgjasin këto rrethana.

Garancitë kushtetuese të barazisë gjinore - korniza e përgjithshme

Dispozitat themelore të kushtetutës dhe dispozitat hyrëse në kapitujt për të drejtat dhe liritë e njeriut, përmbajnë shumë garanci që nuk kanë të bëjnë vetëm me barazinë gjinore por me të gjitha të drejtat dhe liritë e njeriut të garantuara me kushtetutë. Kështu që, vetëm në kuadër të këtyre garancive kushtetuese mund të vërehen edhe ato garanci të cilat më për së afërmi sigurojnë barazinë gjinore.

Përfundimi

Pas luftës së dytë botërore u nxjerrën këto akte shumë të rëndësishme: Karta e OKB-ës, Deklarata Universale për të Drejtat e Njeriut, Konventa për Mbrojtjen e të Drejtave dhe të Lirive Themelore të Njeriut, Pakti Ndërkombëtar për të Drejtat Civile dhe Politike, Pakti Ndërkombëtar për të Drejtat Ekonomike, Sociale dhe Kulturore, e shumë akte të tjera të cilat i garantojnë dhe i mbrojnë liritë dhe të drejtat themelore të njeriut.360

Sa i përket zbatimit të këtyre akteve, një standard të përfshirjes së tyre në legjislacionin e saj e ka arritur edhe Republika e Kosovës përmes Kushtetutës (2008), kapitulli i dytë që i referohet të drejtave dhe lirive themelore ku janë të përfshira aktet kryesore ndërkombëtare që i mbrojnë dhe garantojnë të drejtat dhe liritë themelore (shih Kushtetutën e Republikës së Kosovës, nenin 22, Zbatimi i Drejtpërdrejtë i Marrëveshjeve dhe Instrumenteve Ndërkombëtare).

Perspektiva e Kushtetutës së Kosovës, konstitucionalizmi reflektohet edhe në mbrojtjen e të drejtave dhe lirive themelore. Ndërkohë që disa organeve përkatëse iu njihet kompetenca për të ushtruar autoritetet, njëkohësisht atyre iu kufizohet pushteti sepse në rend të parë kanë për detyrë respektimin e të drejtave të njeriut.

Si rezultat i kësaj, në sistemin juridik të Kosovës, të drejtat e njeriut dhe liritë themelore interpretohen në harmoni me jurisprudencën e Gjykatës Evropiane të të Drejtave të Njeriut, si dhe gjejnë zbatim të drejtpërdrejtë nga Marrëveshjet dhe Instrumentet Ndërkombëtare. Kjo lind nga nevoja e domosdoshme për të siguruar edhe mbrojtur efektivisht të drejtat e njeriut, të cilat janë kërkesa dhe standarde të zhvillimeve progresive ndërkombëtare.

Kushtetuta e Kosovës ka parashikuar si vlerë të shtetit respektimin e të drejtave të njeriut, duke i përkufizuar ato si të pandashme, të pacënueshme dhe të patjetërsueshme në themelet e rendit juridik, duke detyruar organet shtetërore, në veçanti organet e drejtësisë, që t'i përmbahen Kushtetutës dhe ligjit.

Njëkohësisht ka përcaktuar Gjykatën Kushtetuese si autoritetin përfundimtar për interpretimin e Kushtetutës dhe të pajtueshmërisë së ligjeve me Kushtetutën, ndërsa individëve iu është njohur e drejta që të paraqesin para kësaj Gjykate çështje që lidhen me shkeljet e të drejtave të tyre nga autoritet publike, pra të të drejtave të garantuara me Kushtetutë.

360 http://www.telegrafi.com/lajme/mbrojtja-e-lirive-dhe-te-drejtave-te-njeriut-element-themelor-ne-funksionimin-e-shtetit-modern-26-4474.html

Në këto raste, Gjykata Kushtetuese e Kosovës nuk është në pozicionion e gjykatës më të lartë të sistemit të drejtësisë, por ajo jep drejtësinë kushtetuese, dhe se funksioni i saj është që konstatimi i faktit të shkeljes së të drejtave dhe lirive themelore nga organet që kanë miratuar vendime apo kanë ndërmarrë akte konkrete. Duke ditur faktin se ajo është gardiani i Kushtetutës, si dhe bën gjykimin kushtetues të shkeljes së të drejtave e njeriut, duket qartë se boshti i këtij punimi është konkretisht mbrojtja kushtetuese e të drejtave të njeriut.

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PHD. (C) PRANVERA HYSENAJ - ANALIZA E NGARKESAVE ELEKTRIKE NË RRJETIN ELEKTRIK SIPAS METODËS SË DITËVE TË NGJASHME DHE NËPËRMJET VLERSIMIT TË DEVIJIMIT STANDART TË NGARKESËS. (ANALYSIS OF THE ELECTRICAL CHARGES IN THE ELECTRICAL NETWORK UNDER SIMILAR METHOD DAYS AND THROUGH EVALUATION OF LOAD STANDARD DEVIATION)

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Abstrakti

Qëllimi i këtij studimi është të propozojmë një trajtim ndryshe të analizimit të ngarkesave elektrike për konsumatorët urban dhe ata industrial si dhe paraqitjen grafike të tyre për një periudhë një mujore.
Materialet dhe metodat: Në n/stacionin Tec–Ballsh ku funizohen me energji konsumatorë urban dhe konsumatore industrial janë marrë parametrat e energjisë orare të 24 orëve për periudhën Janar 2014. Duke përdorur metodën e e ditëve të ngjashme dhe vleresimin e devijimit standart të ngarkesës kemi krahasuar rezultatet e dy rasteve (fideri 2 urban dhe fideri 3 industrial).
Rezultatet: Për konsumatorin industrial (fideri 3)devijimi standart ishte i rendit më të lartë (14-20%) kurse për konsumatorin urban dejvijimi standart ishte I rendit më të ulët (10%).
Gjatë orëve të natës kur ngarkesa është minimale devijimi standart është I rendit më të madh krahasuar me orët e mbrëmjes kur ngarkesa është maksimale ku devijimi standart është I rendit më të ulët.
Përfundimet: Metoda e mësiperme është e vlefshme për parashikimin e ngarkesave elektrike në rastin e konsumatorit industrial. Metoda e mësipërme për parashimikimin e ngarkesave elektrike në rastin e konsumatorit urban duhet të korigjohet sepse duhet të jetë më e madhe dhe me koeficientin e kushteve meteorologjike. Kur ngarkesa është minimale (23.00-05.00) nga rezultatet, shkalla e gabimit sipas metodës së ditëve të ngjashme është e lartë. Kur ngarkesa është maksimale (18.00-23.00) nga rezultatet, shkalla e gabimit sipas metodës së ditëve të ngjashme është e ulët

Fjalët kyçe: ngarkesat elektrike, konsumator urban, konsumator industrial, parametrat e energjisë, metoda e ditëve të ngjashme, devijimi standart.

Abstract

The aim of this study is to propose a different approach to analyzing electrical loads for urban and industrial consumers and their graphical representation for a period of one month.
Materials and methods: In the electrical stationTEC-Ballsh where consumer power feed urban and industrial consumer of energy parameters are taken all 24 hours for the period January 2014. Using similar days method and evaluation of load standard deviation compared the results of two cases (feeder 2 urban and industrial feeder 3).
Results: For industrial consumers (feeder 3). The order standard deviation was higher (14-20%) while for urban consumers Order standard deviation was lower (10%).
During the night hours when the load was minimal standard deviation is greater order compared with evening hours when the load is maximum where the standard deviation is lower ranks.
Conclusions: The method above is useful for predicting the electrical charges in the case of industrial consumer. The above method for forecast of electrical charges in the case of urban consumers need to be reviewed because they have to be bigger and coefficient of meteorological conditions.
When the load is minimal (23:00 to 05:00) the results, the error rate according to the method similar days is high. When the load is maximum (18:00 to 11:00 p.m.) from the results, the error rate according to the method similar days is low.

Keywords: electrical loads, urban consumer, industrial customers, power settings, the method similar days, standard deviation.

Hyrje

Përafrimet statistikore zakonisht kërkojnë një model matematik që paraqet ngarkesën si funksion te faktorëve të ndryshëm të tilla si koha, moti dhe konsumatorë. Parashikimi afatshkurter i ngarkesës duhet të marrë parasysh shume faktorë, si faktorët e kohës, të dhënat e motit dhe kategoritë e mundshme te konsumatorëve. Parashikimi afatmesëm dhe afatgjatë marrin parasysh ngarkesën historike dhe të dhënat atmosferike, numrin e konsumatorëve në kategori te ndryshme, të dhënat ekonomike, demografike dhe parashikimet e tyre, të dhënat nga shitja dhe nga faktorë të tjerë.
Ndryshimet e ngarkesës paraqesin interes të vecantë për pika te caktuara të rrjetit shpërndarës nga të cilat më kryesoret janë : Pika e lidhjes së përdoruesit, kabina e transformimit, nën/ stacionet elektrike
Me anë të ndryshimit ditor të ngarkesës (grafikut ditor) për përdoruesit e te njëjtes kategori (psh te përdoruesëve shtëpiake, tregëtarë etj) paraqesin ngjashmëri te madhe vençanërisht nëse ato i takojne se njëjtës stine ose llojit të njëjtë të ditës (ditë pune apo ditë pushimi) jepet mundësia e analizës së ngarkesës si madhësi statistikore, e cila për një ditë dhe për orë të caktuar, paraqitet me një vlerë mesatare dhe me një përhapje (dispersion) rreth saj.
Kur njihen ngarkesat e vecanta, vlerësimi i "grafikut shumar të ngarkesës ",(1,2,3) ose i vlerave ekstremale të tij (maksimum, minimum) mund të përcaktohen madhesitë e elementëve të rrjetit (psh transformatorët,seksionet e percjellësave etj.) dhe bëhen llogaritjet përkatëse. Ky problem, që në vitet e para të zhvillimit të rrjetëve elektrike e deri më sot, është përballuar me përdorimin e koeficientëve të nxjerrë nga përvoja. Por, në vitet e fundit përdorimi i M.LL.E(4) i lidhur ngushtë me metodat bashkohore të matjeve dhe të depozitimit te informacioneve, jep mundësinë e analizave më të plota të ndryshimit të ngarkesave.

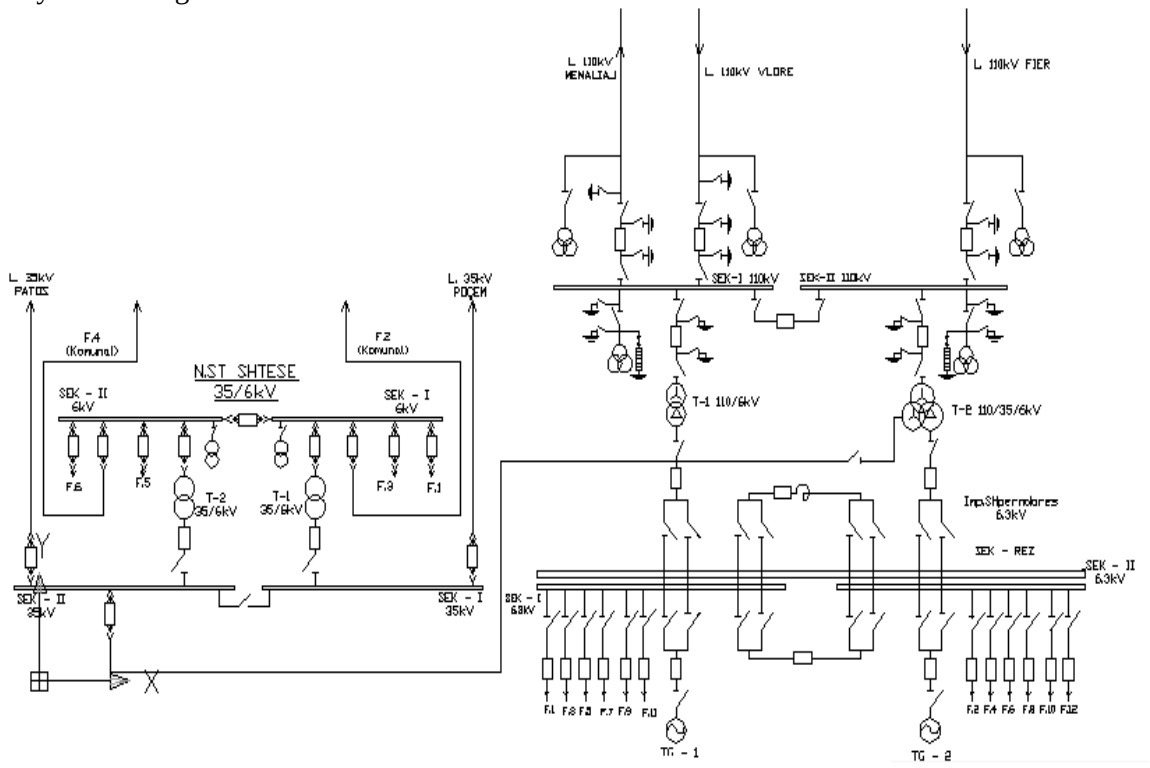

Figura 1. Skema elektrike e nënstacionit Tec Ballsh

Materiali dhe metoda

Parametrat e energjisë elektrike në N/st TEC Ballsh për periudhen Janar 2014.Nisur nga të dhënat orare të enegjisë sipas konsumatorëve shpërndarës dhe pajisjeve kryesore në n/stacionin elektrike ne morëm në studim të gjithe muajt e vitit 2014.Nga krahasimi I vlerave të matura pamë që në muajin janar 2014 janë ngarkesat më të mëdha të rrjetit shpërndarës Ballsh.

Mbledhja e të dhënave

Të dhënat janë organizuar për fiderin 2 I cili ushqen rrjetin shperndarës të Ballshit.dhe fiderin 3 që ushqen rrjetin industrial.
Temperatura dhe lagështia janë parashikuesit më të përdorëshem të ngarkesës(5). Një vrojtim mbi parashikimin e ngarkesës elektrike ka vene re se nga 22 kërkime të marra në konsideratë, 13 prej tyre perdornin vetëm temperaturën, 3 përdornin temperaturën dhe lagështinë, 3 përdornin parametra të ndryshëm atmosferik dhe vetëm 3 prej tyre përdornin parametrat e ngarkesës.

Analiza e të dhënave

Nga të dhënat janë përcaktuar ligjshmëria e ndryshimit te fuqive minimale,maksimale dhe mesatare për fiderin 2 ,3 dhe për transformatorin ushqyes (TR1, 35/6Kv) për periudhën në shqyrtim. Ngarkesa industriale ushqehet nëpermjet fiderit 3 përben rreth 30% te ngarkesës totale, kurse ngarkesa urbane që ushqehet nëpërmjet fiderit 2 përbën 70% te ngarkesës totale Ngarkesa industriale lidhet me procesin teknologjik dhe më pak me kushtet meteorologjike ,kurse ngarkesa urbane lidhet më shumë me kushtet meterologjike. Në analizë janë përdorur devijimi mesatar AVEDEV dhe devijimi standart STDEV.

STDEV llogaritet nga formula:

$$\sqrt{\frac{\sum (x-\bar{x})^2}{(n-1)}}$$

AVEDEV llogaritet nga formula:

$$\frac{1}{n}\sum |x-\bar{x}|$$

AVEDEV ndikohet nga njësia matëse e të dhënave.

Rezultatet

Në grafikë (figura 1) janë paraqitur fuqia minimale,maksimale dhe mesatare për transformatorin e fuqisë gjatë muajit Janar 2014.
Në grafikë (figure 2-3) janë parqitur ngarkesa maksimale ,minimale ,mesatare për fideri 2 dhe fiderin 3 gjatë muajit Janar 2014.
Në grafikë (figure 4-5) janë paraqitur devijimet standarte për fiderin 2 dhe fiderin 3gjate muajit Janar 2014.

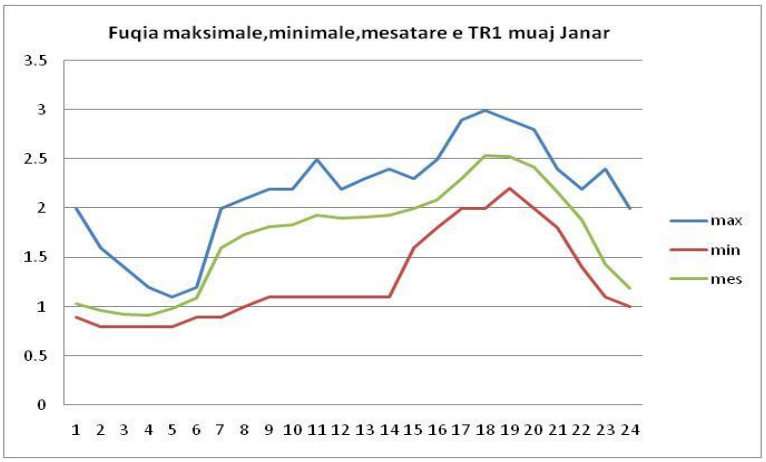

Figura 1. Grafiku i fuqisë minimale, maksimale dhe mesatare e TR1 për muajin Janar

Transformatori 35/6kv vlerat më të ulëta të fuqisë i ka në orët e para te mëngjesit (4:00-7:00) dhe vlerat më të larta të fuqise i ka në orët e mbrëmjes (18:00-21:00).

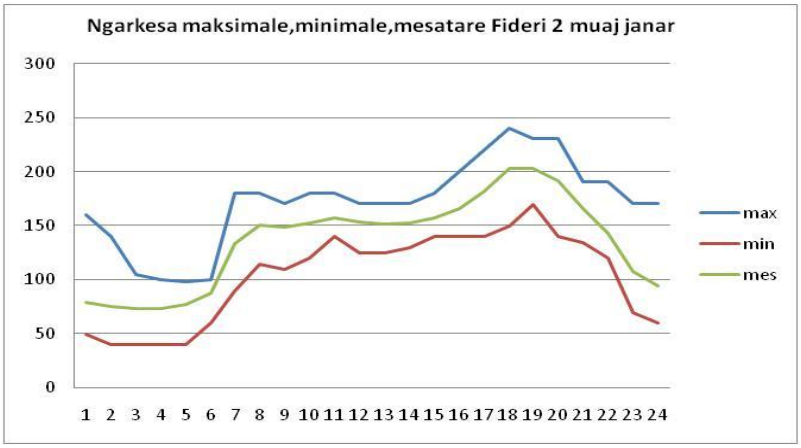

Figura 2. Grafiku i ngarkesës maksimale, minimale dhe mesatare per Fiderin 2 gjatë muajit Janar

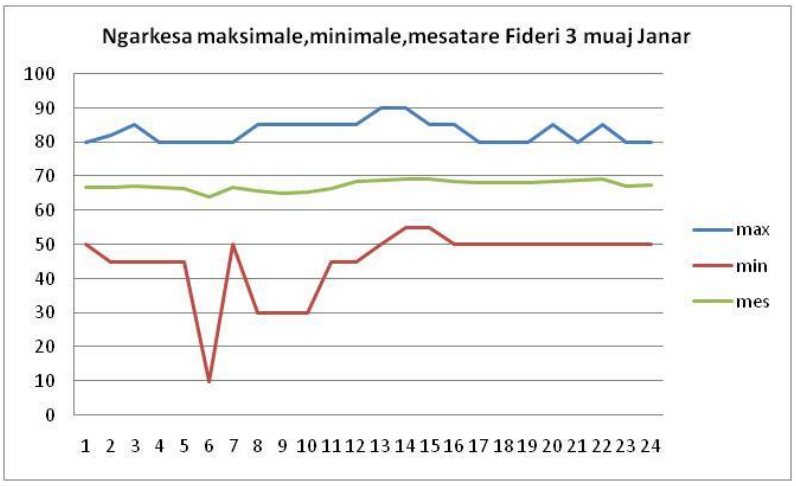

Figura 3. Grafiku i ngarkesës maksimale,minimale dhe mesatare per Fiderin 3 gjatë muajit Janar

Nga grafiku ngarkesa mban një ritem pothuajse konstant. Kjo për faktin se fideri 3 është fider që ushqen ngarkesë industriale.
Në vazhdim jepen grafikët e mesatares së ngarkesave të fiderit 2, fiderit 3 dhe devijimet e tyre gjatë muajit Janar.

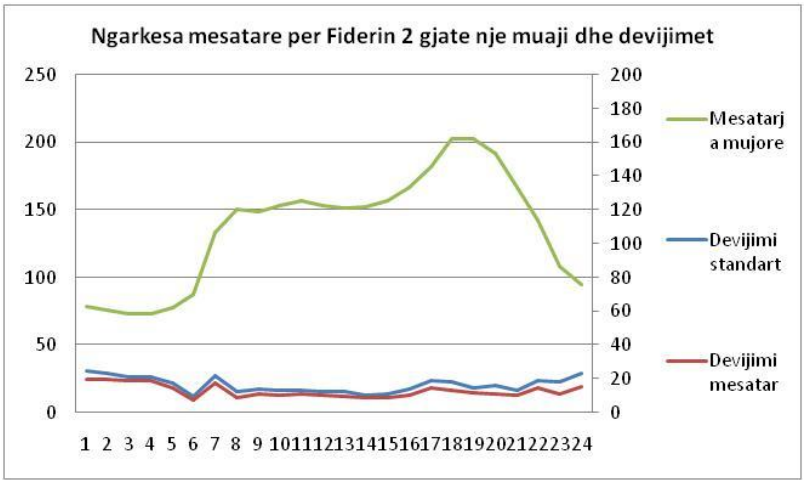

Figura 4. Grafiket e ngarkesës për fiderin 2 dhe devijimet gjatë muajit Janar

Devijimi i ngarkesës përben rreth 10 % te vleftës pik të mesatares

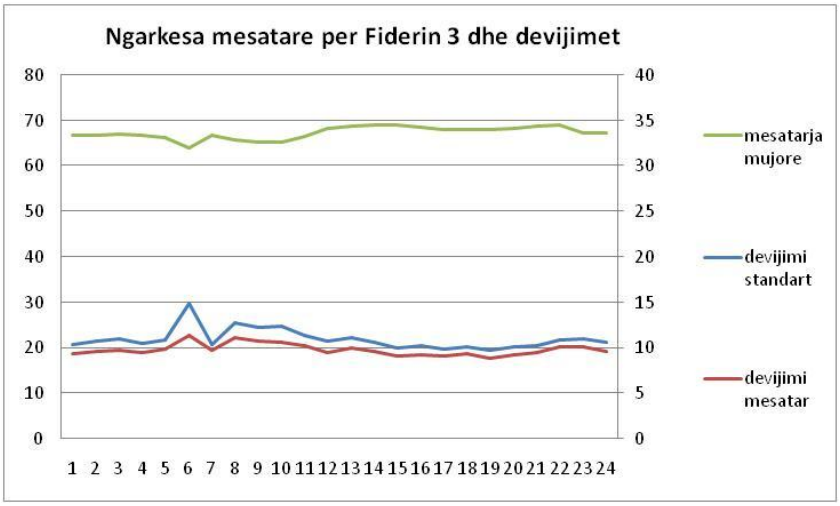

Figura 5. Grafikët e ngarkesës mesatare për fiderin 3 dhe devijimet gjatë muajit Janar

Devijimi i ngarkesës përbën rreth 14 % te vleftës pik te mesatares.

Diskutim

Të dhënat e studimit tonë tregojnë qartë që metoda e ditëve të ngjashme dhe devijimi standart I ngarkesës është përcakues I rëndësishëm për vlerësimin e ndryshimit të ngarkesës.
Në studimin tonë nuk janë përdorur algoritmet e inteligjencës artificiale të tilla si regresioni,rrjetat neutrale,dhe sistemet eksperte. Një shumëllojshmëri metodash të cilat përfshijnë të ashtuquajturat përafrimet ditore, modelet e ndryshme të regresionit, serite e kohës, algoritmet statistikor dhe sistemet eksperte janë zhvilluar për parashikimet afatshkurtra.
Në studimin tonë nuk janë përdorur dy prej metodave, të ashtuquajtura (end-use) dhe (econometric approach) janë gjerësisht të përdorura për parashikimet afatmesme dhe afatgjata.
Me anë të metodës së ditëve të ngjashme dhe devijimit standart për parashikimin e ngarkesës(marren vendime të rëndësishme për blerjen dhe gjenerimin e fuqisë elektrike, stakimit të ngarkesës dhe zhvillimit te infrastrukturës. Parashikimet e ngarkesës janë shumë të rëndësishme për furnizuesit e energjisë, ISO-t, institucionet financiare dhe për pjesmarrësit e tjerë në gjenerimin e energjisë elektrike, transmetim, shpërndarje dhe tregëti.
Zhvillimi, përmirësimet, dhe hulumtimi i mjeteve të përshtatshme matematikore do të çojë në zhvillimin e teknikave të sakta për parashikimin e ngarkesës.

Konkluzione

Rrjeti shperndarës i Ballshit është i natyrës industrial dhe urbane.
Vlerësimi i ndryshimit te ngarkesës është bërë sipas metodikës së ditëve te ngjashme dhe nëpërmjet vlerësimit të devijimit standart të ngarkesës. Per fiderin që ushqen ngarkesën industriale metoda e mësipërme është e vlefshme për parashikimin e ngarkesës elektrike.
Per fiderin që ushqen ngarkesën urbane metoda e mësipërme duhet të korigjohet, metoda e mësipërme nuk është e vlefshme për parashikimin e ngarkesës elektrike.
Gjatë orëve kur ngarkesa eshte minimale, devijimi standart eshte e ulet dhe shkalla e gabimit sipas metodës së ditëve të ngjashme është më e lartë.
Gjatë orëve kur ngarkesa eshte maksimale, devijimi standart eshte i vogël,shkalla e gabimit sipas metodës së ditëve të ngjashme është më e ulët.

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ALLMEDINA LIKA - KONFERENCA E RAMBUJES - ASPEKTI JURIDIK DHE NDERKOMBETAR

ALLMEDINA LIKA

Fakulteti Juridik, "Universiteti Hasan Prishtina", Prishtinë

Abstrakti

Masakra e Recakut dhe gjykimi i drejte i saj nga ambasadori i OSBE-se ne Kosove, Uoker, ishte nje ngjarje kyce qe ndikoi ne thirrjen e nje Konference Paqesore Nderkombetare per Kosoven ne Rambuje te Frances.
Konferenca nderkombetare paqesore per Kosoven u mbajt ne Rambuje dhe Paris prej 6 deri me 23 shkurt dhe prej 15 deri me 18 mars 1999 ne kohen kur kriza ne Kosove kishte pershkallezuar ne nje lufte te pergjakshme me rrezik shtrirjeje edhe jashte kufinjve te territorit te Republikes se Kosoves.
Konferenca paraqiste perpjekjen e fundit politike per ndaljen e luftes dhe gjenocidit serb kunder shqiptareve, vendosjen e Kosoves nen protektoratin e NATO-s, krijimin e nje statusi kalimtar per Kosoven dhe evitimin e rrezikut potencial qe kercenonte paqen dhe sigurine nderkombetare.
Konferenca ishte organizuar nga i ashtuquajturi Grup i Kontaktit dhe ne konference mori pjese delegacioni shqiptar, ai serbo-jugosllav dhe pala nderkombetare, ku benin pjese anetaret Grupit te Kontaktit dhe te shume shteteve. Delegacioni shqiptar perfaqsohej nga subjektet e atehershme politike dhe perfaqsuesit e UCK-se si dhe nga eksperte te pavarur. Konferenca kryesohej nga tre bashkekryesues Kristofer Hill nga SHBA, Volfgang Petric nga Keshilli I Evropes dhe Boris Majorski nga Federata Ruse.

Procesi negociator ne Rambuje zhvillohej mbi bazen e Projekt Marreveshjes se Rambujese, respektivisht project marreveshjes se perkohshme per Paqe dhe Veteqeverisje ne Kosove, te cilen e kishte pergaditur Grupi I Kontaktit.
Konferenca e Rambujes synonte arritjen e nje marreveshjeje juridike dhe politike per zgjidhjen politike te krizes ne Kosove, duke percakutar nje zgjidhje kalimtare qe parashihte vendosjen e Kosoves nen mbrojtjen e NATO-s, te mundesonte nje vetadministrim te perkohshem per Kosoven ne periudhne trevjecaredhe te hapte mundesine e zhvillimit ten je procesi politik per percaktimin final per Kosoven.

Ne pjesen e pare te punes se kesaj Konference, delegacioni kosovar perkrahu ne parim tekstin e marreveshjes se propozuar nga negociatoret nderkombetare dhe kerkoi qe nenshkrimin e saj ta beje pas nje konsulltimi te serishem me popullin ne Kosove. Nderkaq pala serbe, e refuzoi ne teresi marreveshjen, duke mos treguar seriozitet ne negociata dhe duke refuzuar cdo zgjidhje politike te krizes.

Ne pjesen e dyte te Konferences ne Paris, delegacioni kosovar beri nenshkrimin solemn te Marreveshjes, kurse ai serb serish e refuzoi nenshkrimin e saj.
Nenshkrimi i Marreveshjes se Rambujes nga delegacioni kosovar ka qene nje akt pragmatik, i cili mundesoi nderhyrjen ushtarake te NATO-s ne Kosove dhe clirimin e territorit te saj. Veshtruar nga aspekti i legalitetit, kjo marreveshje e eshte e paqendrueshme sepse nuk eshte nenshkruar dhe pranuar nga pala serbe.kjo eshte me rendesi te theksohet sepse Rezoluta 1244 I referohet kesaj marreveshjeje dhe parimeve te saj, si baze per statusin politik te Kosoves. Nje referim i tille, eshte plotesisht i paqendrueshem, jo vetem nga aspekti juridik por edhe ai politik.

Rambuje – momente historike dhe politike

Duke lexuar dhe studiuar ne lidhje me kete teme, duke vendosur argumentet dhe kunder-argumentet ne lidhje me Konferencen e Rambujese, na ka rastisur qe edhe te ndalemi e te mendojme edhe per kuadrot pjesemarrese ne Konference (gjithmone duke pasur parasysh anen shqiptare). Ne epoken e pas luftes kane dalur ne pah shume filiza te rinj te cilet e mbajne veten per heroj dhe te atille qe historine e shkruajne sipas interesave partiake apo thjesht sic e kerkon populli ta degjoje (theksoj duke marre parasysh shpirtin romantik te popullit shqiptar, gjegj shqiptareve te Kosoves).
Mirepo cfare ndodhi me te vertete ne Rambujes ?

A ishte Konferenca e Rambujes me te vertete zgjidhja e duhur per fatin e Kosoves dhe gjithe popullsise?
Marreveshja e Rambujese sipas Veton Surroit shperblente Kosoven e jo individet e caktuar qe ishin pjesemarres ne ate Konference. “Ajo vendoste rrugen e re revolucionare, te shtetndertimit dhe te pavaresimit... revolucionin tash do ta bente NATO-ja.”
Mirepo ish ministri I arsimit Rame Buja (gjithmone me ka habitur emri dhe mbiemri I tij qe asocon me Rambujen mirepo kjo s’eshte ceshtje per shtjellim), shfaq edhe anen tjeter te medaljes gjate nje fjalimi te mbajtur gjate aktivitetit te “Javes se Albanologjise”; “Konferenca e Rambujesë është çështja që ngjalli më së shumti debate, dyshime kundërshtime, dilema e refleksion. Konferenca e Rambujesë si mekanizëm i fundit politik për ndaljen e luftës në Kosovë solli intervenimin e NATO-s në Kosovë dhe mbi caqet e koncentrimit të Ushtrisë serbe edhe në Serbi”. Dmth nuk ka frike te pranoje se edhe vete Grupi I Kontaktit, me ne krye bashkekryesuesit dhe perfaquesit nderkombetar e kishin ate dyshimin ne funksionimin apo mosfuksionimin e Konferences se Rambujese. Duhet theksuar se siguria ishte ne nje nivel atebote te padegjuar, me qellim qe shqiptaret e delagacionit perfaqsues ne asnje moment mos te ballafaqoheshin me te deleguarit e qeverise se atehershme serbe.

"Shtabi i Përgjithshëm i UÇK-së vendosi shpejt për anëtarët e saj, na u shty për një ditë shkuarja, sepse Serbia nuk ka lejoi të hynim në Aeroportin e Prishtinës në ditën e parë. Problem tjetër paraqiste edhe fakti se ishim në rroba ushtarake. Të nesërmen shkuam, dikush nga Aeroporti i Prishtinës, të tjerët nga Tirana. Për shkaqe sigurie dhe nga nevoja e domosdoshme për të mos u dorëzuar të gjallë,

në rast se do të binim në ndonjë pritë, kërkuam nga miqtë tanë ndërkombëtarë që të na mundësohej për të shkuar të armatosur në konferencë dhe kjo na u lejua", tha ministri Buja, i cili shprehu bindjen e tij se Konferenca e Rambujesë ishte e vetmja në të cilën faktori ndërkombëtarë për herë të parë ishte në krah të kërkesave shqiptare.

Pse nuk dyshoi dikush mbi kete dashamiresi te nderkombetareve kur gjate historise jemi deshmitare te shume padrejtesive ne disfavor te shqiptareve?
A eshte me te vertete Konferenca e Rambujese, asi ne doren e shqiptareve apo thjesht nje e keqe e domosdoshme? (them e keqe e domosdoshme sepse perseri Kosoves i duhej te degjonte me te medhenjte ne fushe te mejdanit).

Vete statusi i padefinuar i Kosoves ishte ajo cka veshtiresonte cdo proces. Sepse ne Keshillin e Sigurimit e gjithe kjo situate shihej sin je konflikt mbrenda shtetit e jo nje konflikt midis dy shteteve. Leja per nderhyrje ushtarake ne asnje menyre nuk duhej te kerkohej tek Keshilli I Sigurimit sepse dihej qe Rusia do te perdorte veton dhe procesi jo vetem qe dongadalesohej por edhe do deshtonte. Mirepo ajo qe shtyu nderkombetaret te reagonin ne lidhje me statusin e Kosoves dhe gjendjen e saj alarmante sidomos pas Masakres se Recakut ishte gabimi I pare qe kishin bere me Srebrenicen e cila ishte shpallur si nje "Safe Zone" kurse gjate nates u masakruan mbi 10.000 civil nga militaret serb. Keshtu u hodh nje skepticizem mbi forcat nderkombetare dhe sa sa atom und ti dilnin ne krah Kosoves, ne menyre qe te mos perseritej nje Srebrenice e dyte.
Nese Konferenca e Rambollouie do kishte nje figure identifikuese, sipas mendimit tim do ishte Madeline Albright (edhe kesaj sikur zonjes Thatcher, do ia jepja epitetin "the iron lady – zonja e hekurt"). Po e shtjelloj pse.

Ne nje inteviste te dhene per "The Frontline" ajo theksoi shqetesimin e saj ne lidhje me brutalitetin e Millosheviqit qe nga viti 1989 me marrjen me force te autonomise se Kosoves dhe fillimin e trazirave ballkanike. Pse ishte e nevojshme te perdorej forca ? A nuk ishte Millosheviqi nje lider I nje shteti qe mund te zgjidhte dicka nepermjet diplomacise sikurse edhe homologet e tij ?
"Ne te gjithe e dinim se ai me se miri ka kuptuar perdorimin e forces dhe dhunes. Ai nuk e pa driten e diellit ne Bosne deri pas boimbardimeve te NATO-s e pastaj ra dakord per Marreveshjen e Dejtonit. Mirepo ne perjashtim te rastit kur kemi vendosur qe te marrim ne konsiderate perdorimin e forces, per ne ishte me e veshtire te dialogonim me nje njeri qe di vetem te perdore dhunen e njo fjalen. Ne kishim hartuar nje udhe te qendrueshme diplomatike dhe nje zgjidhje diplomatike gjate kesaj periudhe"

"Ne disa nga takimet e realizuara argumentonim nevojen per te nderhyre me force nese Millosheviqi refuzon marreveshjet politike. Mirepo ajo cka na bente pershtypje ishte mos bindja e ketij te fundit se sa te gatshem jemi ne per te perdorur forcen vetem e vetem qe ta ndalim ate per te mos shkaktuar nje tjeter katastrofe njerezore. Ai mori pjese ne nje Marreveshje qe Hollbruku kishte ndermjetesuar mirepo serbet manipuluan cdo gje dhe kjo solli radikalizimin e shqiptareve. Ne ato moment e kuptova se kishte ardhur koha te ndermerrnim masa me te rrepta kunder ketij njeriu. Une shkova edhe ne Senat ku mund te them se nuk gjeta perkrahjen e plote te te gjithe senatoreve. Disa theksonin se Ballkani nuk eshte problematike e tyrja dhe se ata mund ti zgjidhin ceshtjet mes veti. Justifikoheshin me ate se "ne kemi bere cfare kemi mundur ne Bosne, pse te merremi edhe me Kosoven ?"kurse anteret e tjere e kuptuan rendesine e nderhyrjes dhe ndihmes qe duhej dhene Kosoves drejt pavaresise se plote dhe u pajtuan se regjimi I Millosheviqit duhej luftuar. Degjuam lajmet ne radio duke thene se forcat serbe po merrnin nje ofensive pranverore, duke debuar te gjithe kosovaret. Ne morem per baze faktin se Shtetet e Bashkuara do te jene pjese e forces se zbatimit ne terren, e keshtu filluam te hartojme edhe planin per fushaten ajrore ushtarake. Isha e bindur se pot e punonim intenzivisht paqja do ishte e jona. Presidenti na autorizoi qe te perdorim forcen nese do ishte e nevojshme. Per te ishte shume e qarte se Kosova eshte shume ndryshe nga Bosna. Na u desh te bashkpunonim edhe me aleatet, duke mos dhene pershtypjen e njeanesise. Kjo ishte e rendesishme per NATO-n dhe Ballkanin. Ai erdhi deri tek ky vendim duke pelqyer idene e te pasurit nje plan se si do dukej Ballkani ne te ardhmen.

Ne kerkonim nga Serbia qe ta mbante Kosoven nen Jugosllavi por ne do dergonim nje force per ta siguruar ate. Pata pershtypjen se nuk po kerkonim shume. Kosovaret ishin te gatshem te bashkpunonin me aleatet kurse serbet kishin vendosur ti thonin JO bahskpunimit. Kjo na e beri me te lehte dhe pasqyroi nje vendim te qarte nese ne do pordornim forcen dhe pse do e perdornim. Ne te dyja Konferencat si ne Rambuje ashtu edhe ne Paris, presidenti serb ishte shume I qete ne bisedime dhe te jepte pershtypjen se ishte I gatshem per bashkpunim mirepo per nje dictator eshte shume e lehte kur ne nje grup e ka te vecuar nje individ qe te flase ne emer te te gjithe grupit negociator serb. Ne anen tjeter ishin pala kosovare, disa luftetare dhe disa qe merreshin me shume me politike. Ata kishin nje enderr ; ne perpjekje per te zhvilluar formen politike ne menyre demokratike duke e beret e ditur se kush po perfaqsohej nga kush. E ndjeja se do ishte e veshtire per te marre nje pergjigje dhe ata kerkuan qe te largoheshin ne menyre qe te konsultoheshin ne Kosove me komandantet lokale dhe njerezit e tyre. Ne te gjithe shpresonim se Millosheviqi do te ishte nje qenie njerezore e kuptueshme dhe qe nuk do te lejonte qe ti bombardohej populli vet, por ai anashkaloi cdo marreveshje duke mos I lene vend zgjidhjes diplomatike pa cka mundimit tone per ta bindur. Ne shpresonim se ai do ta kuptionte se ne kete konflikt do triumfonte SHBA-ja dhe NATO-ja"361

Eshte interesant fakti se si te gjithe pjesemarresit shqiptare ne Konference kane secili nje version te vetin, kunder njeri tjetrit, ne menyre qe figura e tyre individuale te dale triumfuese.

Po citoi "Duke u larguar prej salles, Hashim Thaci, tha me gjithe ofendim paralajmerimin per gjemen qe e priste Kosoven se "femijet tuaj do te mesojne anglisht" … Gjate Konferences me tub ere ora gjashte e mbremjes, anetaret e delegacionit nga UCK-ja, nderprisnin punimet e Delegacionit, nxirrnin nje radiotransistor dhe ne valet e shkurtra kerkonin Zerin e Amerikes shqip. Te mbledhur rreth transistorit degjonin per ngjarjen ku ata ishin protagonist. Radioja shpjegonte se ata ishin ne sallen e Keshtjelles se Rambouilletse, se ate sale po zhvilloheshin negociatat, se ne te kishte ardhur sekretarja e shtetit Madeline Albright dhe se ishte kercenuar se dota humbnin perkrahjen amerikane nese nuk e nenshkruanin Marreveshjen.
Radioja shpjegonte ate qe ata vete kishin perjetuar nje moment me pare. Ajo qe qe perjetuar ndonje moment me pare u ndodhte protagonisteve te histories, atyre qe ishin mbrenda. ndersa, tash, rreth transistorit, ishin publiku, ishin duke shikuar nga tribunat se cka po ndodhte, dhe si po ndodhte… dhe kishin nevoje qe realitetin ta kuptonin prej vendit te mirebesuar. Nuk do te besonin se dicka po ndodhte nese kete nuk e thoshte Zeri I Amerikes. Vetem atehere beheshin protagoniste te historise.
Diten, kur ne emer te Delegacionit te Kosoves nenshkrova kompromisin me te cilen Delegacioni e pranonte Marreveshjen e Rambouilletse, por kerkonke kohe shtese per konsultime dhe nenshkrim formal, Hashim Thaci, duhej te shperblehej me nje rol ardhmerie. Ishte nje gje problematike. Ai ishte terhequr nje dite me heret nga Kryesia, kishte refuzuar edhe idene per themelimin e nje Qeverie te perkohshme ku do te ishin se bashku LDK-ja dhe UCK-ja. Zgjidhjen e gjeti James Rubin, zedhenesi I Departamentit te Shtetit, I cili, nxori, me insistim te diplomatit amerikan Jim O'Brien, Hashim Thacin, nga salla e konferencave qe te mos pengonte procedimin e metejme.
Ne nje bisede gjysemoreshe pasi deshtuan te gjitha bindjet per rolin historic qe kishte Marreveshja, per rolin historic qe kishte moment ku ne mbrojtje te Kosoves viheshin Shtetet e Bashkuara te Amerikes, James Rubin I tregoi Hashim Thacit se kishte nje shok qe shkruante skenare filmash ne Hollywood dhe se ndoshta do te ishte mire qe te shkruante nje skenar per te. per nje film. Per ne Hollywood.
Dhe ne ate moment, Hashim Thaci e nderpreu oponencen e tij ndaj Marreveshjes se Rambouilletse, duke kuptuar se tashme historia po I gjente rruget e veta te avancimit dhe se ai ishte protagonist ne te. Ne histori, e mbase edhe ne filma.
Pse jane te rendesishme keto pershkrime qe duken teknike dhe, si te tilla, te bezdisshme ?
Sepse definojne politiken mbrendashqiptare ne moment te vitit 1999, ne mase te madhe, si nje revolucion te mbrendshem. Nje ne te cilin perfaqsuesve kushtimisht elitare (ne forme jo gjithpershirese qe qene zgjedhur) te shqiptareve te Kosoves, profesori I Kimise, Azem Syla, do t'u jepte urdher qe te respektohet vonesa (vonesat) e Hashim Thacit, per hi rte ruajtjes se unitetit te "faktorit politik dhe ushtarak", sic quhej atehere.

[361] Madeline Albright – Frontline Interview

Te nesermen, kur tashme kishte arritur anetari I munguar, debate nuk ishte me per ate se si do te merreshin vendimet (profesori nuk e kishte fjalen per konsensus), por se si do te zgjidhej Hashim Thaci, ne krye te Kryesise se Delagacionit te Kosoves. Nga ky kendveshtrim, ai moment I Konferences nuk ishte I luftes se UCK-se per clirim nga Serbia, por clirim nga lidershipi I Rugoves, clirim nga Rugova."362

"Kishte thirrur ne drake ne Keshtjelle, ne kater anetaret e Kryesise se Delegacionit te Kosoves, sekretarja e shtetit, Madeline Albright. Kishte vendosur qe ne ate drake te merrte pelqimin tone per marreveshjen. Ishte duke filluar te lodhej seriozisht me sjelljen tone dhe ne nje moment filloi te na qortonte me nje fjalor jo shume te zgjedhur. "Krejte kete po iu them se jam mike e juaja, se ju dua dhe ju respektoj. Ja, edhe mineralin e bukur qe ma ka dhuruar dr.Rugova ne viziten tuaj te fundit, po e mbaj ne zyren time, qe ne hyrje dhe kushdo qe vjen e me pyet per te I them se e kam nga dr.Rugova, nga Kosova."
Kur dolem, nga dreka, pa ndonje rezultat evident, fytyrat e te gjithe anetareve te Kryesise ishin te ngrysura. Para deres na priste percjellesi I dr.Rugoves, Adnan Merovci dhe kur I pa fytyrat, u brengos dhe menjeher iu drejtua shefit te tij, me pyetjen "si ia kaluat ?".
"shume mire Adnan – I tha Rugova, a mban mend ate gurin qe is dhashe sekretares Albright. Tha qe po e mban ne zyre, dhe se kush hyn e del prej aty merr vesh se ia kam dhene une, se eshte nga Kosova."
Fytyra e Adnanit u kthye ne kenaqesi. Kete e kishte reflektuar nga humori I mire I shefit, I cili ne vazhde te ketij humori iu kthye Hashim Thacit: A mos don,me ta dhan edhe ty nje gur, djale?
Hashim Thaci, dukshem nervozuar, u pergjigj: "Jo, se e cliroj une Trepcen e I marr vete."363

Mos me te vertete ishte nje qasje anti-rugoviste e ish-Kryministrit apo thjesht elita politike shqiptare nuk arrin asnjehere te jete realiste dhe te thote te verteten e te bashkpunoje ne mes vete duke I lene menjane mllefet dhe inatet ! ?

Nje personazh tjeter interesant I kesaj Konference ishte edhe Adnan Merovci I cili kujtimet e tij I pershkruan ne kete menyre: " Ne hollin e Aeroportit te Klagenfurtit ku po pritnim I tere delegacioni I Rambujeseper te vazhduar fluturimin per ne Paris, duke bere shaka me Thacin ndodhi dicka qe nuk e prisja. I thashe Thacit: "Valla edhe ti shume paqesor u bere, leshove frontin dhe tani po merresh dhe me paqe. Ja ke kalue edhe Rugoves".

Ky ishte nje humor I stilit tim cdohere me qellimin me te mire per te mbajtur nje atmosfere te kendeshme te delegacionit. Pa nje, pa dy, Thaci, futi dy duart ne xhepat e setres se vet dhe me te dyja duart nxori dy granata dore (kashikarka) dhe mi leshoi ne dore, duke dashur te me pergjigjej se cfare paqesori ishte aid he ma ktheu shpinen. U stepa, mora fryme thelle, u habita. Per te mbetur ne frymen e humorit me te dyja granatat e bllokuara qe m'i leshoi Thaci ne ted y duart, u drejtova nga Rugova dhe prof. Agani, duke dashur te kerkoj keshilla nga ata per nje situateqe as vete nuk ia dija fundin. Ata me refuzuan me fjale: "ik nga ne, dhe lej shakate!".
Mbeta si huti me dy granata ne duar. E kerkoja Thacin per t'ia dorezuar tani duke dashur ti them OK, se nuk te ngacmoj me, vetem hiqmi nga duart keto dy metale qe mu bene barre. Kur u bind Thaci qe e mora pergjigjen, m'u afua dhe mi mori te dyja granatat dhe I futi ne xhepat e setres se vet.
Nga ky moment sa komik, sa psikologjik ne mendje me preokupuan dy gjera. E para kishte te beje me nje veprim ultra naiv te Thacin per vete faktin se me vete kishte arme te tilla, dhe e dyta vete domethenia dhe arsyeja e Thacit per te qene I armatosur edhe ne keso rrethanash. Pa dashje dhe pa vetedije ne koke mu zbethye esenca e ketyre armeve.
Thaci kishte nje fletearrestim nga Serbia, po ashtu ishte nje njeri me te cilin identofikohej lufta e UCK-se, qe se bashku me perpjekjet e te gjitheve kishim ardhur deri te nje Konference nderkombetare per Kosoven. Mendja me tha, ky njeri,I gjalle, nuk do dorezohej ne duar te serbeve. M'u rrotullua

[362] Veton Surroi – "Kembet e Gjarprit" fq.17, 18, 21, 23, 24, 37
[363] Veton Surroi – "Kembet e Gjarprit" fq 118, 119

historia dhe m'u kujtua koha e Isa Boletinit. Kjo ishte ndjenja qe e mbyti paragjykimin tim per te cilesuar kete fakt si naivitet te Thacit"364

"Pas nenshkrimit te Marreveshjes delegacioni shqiptar pati nje takim me z. Uncinger rreth kthimit tone ne Kosove. Percaktim dhe perkushtim I padiskutueshem I te gjithe te pranishmeve ne delegacionin tone ishte kthimi ne Kosove, edhe pse flitej per alternativat e qendrimit te delegacionit jashte Kosoves, per shkak te rrezikut nga serbet te cilet do te bombardoheshin mbrenda ca ditesh. Ne kete kohe pothuaj te gjitha zyrat, organizatat e ndryshme, gazetaret etj. Filluan te leshojne Kosoven per shkaqe sigurie. Ne kete takim pak me rreptesi kerkova nga Z.Uncinger garanci dhe transport te delegacionit deri ne Prishtine, duke u thene se ne aspektin logjistik Konferenca perfundon me transportin tone deri ne Prishtine e jo vetem me nenshkrimin e Marreveshjes, sepse kishte tendenca qe te lihemi aty dhe cdokush sit e doje ne menyre te paorganizuar, te kthehej apo te mos kthehej. Per kete pata perkrahjen e Qosjes, Surroit dhe Rugoves"365

[364] Adnan Merovci – "Ne hap me Rugoven" fq. 278
[365] Adnan Merovci – "Ne hap me Rugoven", fq. 279

DR.SC.SHUKRI MAXHUNI, DR.SC. HALIL KUKAJ THE FACTORS IMPORTANCE TO ECONOMIZATION PRODUCED CHEESE MOZZARELLA FROM COW'S

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Summary

Milk used for cheese making is normally standardized and heat treated. In some case, milk is homogenized. An acid – producing starter culture is then added.
The standardization of milk has become necessary to ensure that the milk obtained from several producers or dairies is of a "standard" composition and condition throughout the year. This is critical in cheese making because the legal standards of various cheeses specify certain fat-to-protein rations. Though there are numerous cheese varieties, the manufacturing processes of most of them share several common steps. Variations at one or more steps during manufacture produce cheese of different textures and flavors.
This study is done to research the examinations for production of mozzarella cheese, after research and analyses of physical-chemical peculiar feature of milk. We have followed the processes from drying of cheese until preparing it for market, physical-chemical peculiar feature. We carried out three experiments for each milk-kind. For every experiment, we took three patterns and analyzed. Production of this sort of cheese, the application of producing technology and the supply of Kosova's trade market with mozzarella cheese produced from cow's milk is the objective of this presentation work research.

Keywords: Cow, milk, coagulum, cheese, whey, mozzarella.

INTRODUCTION

Milk is the only food for mammals, the baby in the first period to give milk containing lifetime. Material energy and building materials needed for the baby's growth. Contains antibodies that protect the baby from infections mammal. Milk is a complete food and cheaper to man - SAMPURNA AHAAR (complete feed). Milk contains many vitamins. Vitamins are organic substances that are found in very small concentrations in plants in the classroom. Among the most popular are: A and D, soluble in fat or fatty solvents and B1, B2, C soluble in water. The role of milk in nature is to nourish and provide immunological protection for the mammalian young (Maxhuni, 2013).
Few people are aware that raw milk is actually used as a medicine in the early last century. That's right. Milk directly from breasts was used as medicine to treat, and often cure some serious chronic diseases. From the time of Hippocrates until just after World War II, this "white blood" nourished and has recovered millions of people and cures (Dairy processing handbook, Lund, Sweden.Cheese is one of the first and most popular manufactured food products. What perhaps started out as an accidental curdling of milk has been further defined into cheese making. Over several thousand years, cheese making has advanced from an art to near science. Cheese varieties have proliferated to suit varied conditions and requirements, especially during the last decade or so. It is estimated that more than 2000 varieties exist (Olson, 1995), and the list may be growing.
Legend has it that mozzarella was first made when cheese curds accidentally fell into a pail of hot water in a cheese factory near Naples and soon thereafter the first pizza was made! Actually, new

cheeses are often formulated when mistakes happen, so there well may be truth in the tale. This study is done to research the examinations for production of mozzarella cheese, after research and analyses of physical-chemical peculiar feature of milk.

In Italy, recently legislation has been introduced to restrict use of term "Mozzarella" only to those products exclusively made from buffalo milk (Cheese Rheology and Texture, M.Mehmet Ak. P.cm.@2003).

Cheese production has three steps: curd formation, curd treatment and curd ripening.

1. Curd important product of fermentative lactic acid bacteria. (Mozzarella di Bufala.org, 2006).
2. Curd treatment consists of condensing and squeezing to form dense, hard curd.

It is then molded into the desired shape, salted and mixed with different types of secondary micro flora.

3. Secondary micro flora ripens the cheese and will determine the final texture and aroma of each type of cheese.

Most buffalo milk mozzarella sold here is imported from Italy and SouthAmerica (Wikipedia®).

Mozzarella can be smoked, either in a smoking chamber with intense smoke or by "painting" with a liquid smoke. The curds can be mixed with fresh herbs or chili peppers before forming to flavor the mozzarella. The possibilities and variations are endless (India Diry;Mozzarella di Bufala.org , Italian version Copyright 2006).

The perish ability of fresh mozzarella varies according to packaging. Vacuum sealing extends the shelf life dramatically, (Mozzarella Dallas Texas).

Work Material -Milk For the production of Mozzarella Cheese we have used milk of the following breeds: autochthon Bufallo's in the dairy of the region of Fushë Kosova, in milk industry "Bylmeti". We carried out three experiments for each milk-kind. For every experiment, we took three patterns and analyzed the physical – chemical. The calculation was appraised statistically. We have followed the processes from drying of cheese until preparing it for market, physical-chemical peculiar feature.

We carried out three experiments for each milk-kind. For every experiment, we took three patterns and analyzed the physical – chemical parameters.

The calculation was appraised statistically. In fact, the best area to produce Mozzarella cheese Buffalo's non-standardized milk.

Work methods IT'S used fresh milk to produce cheeps of mozzarella-unpasteurized cows, buffalo's and goat's with these parameters. For physical-chemical peculiar feature of milk and mozzarella samples were used these methods:

1. For definition of pH value were used the ph-meter ISOLAB pH -111,
2. Soxhelt-Henkels method were used to define sour taste,
3. For Physical – chemical is utilized LACTOSCAN – D -90,
4. For definition of Nitrogen (N) were used the Kelda's method,
5. For definition of fat percentage % were use the method of Gerber,
6. for definition of dry matters until drying up of constant mass,
7. Dry quantity of mass without fat has been done in calculated way,
8. Percentage of fat at dry mass has been done in calculated way,
9. Water quantity has been done in calculated way,
10. For definition of saline's (NaCl),
11. Ash%, (IDF Standard 17 A, 1972).

(IDF Standard 17

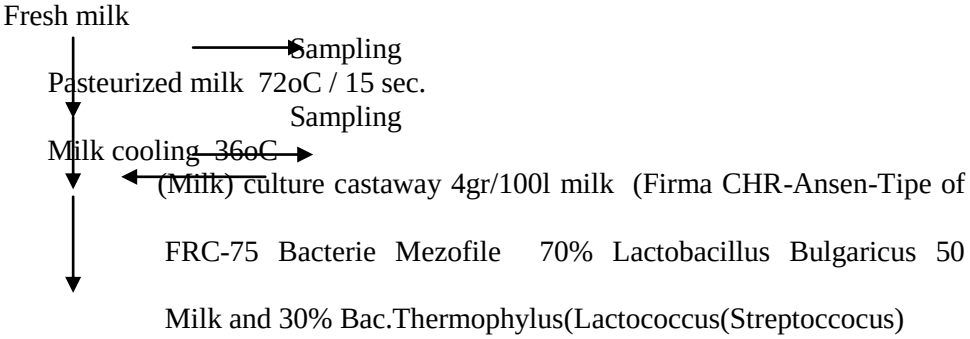
Table.1. Physico chemical analisys from cow milk non standardezed

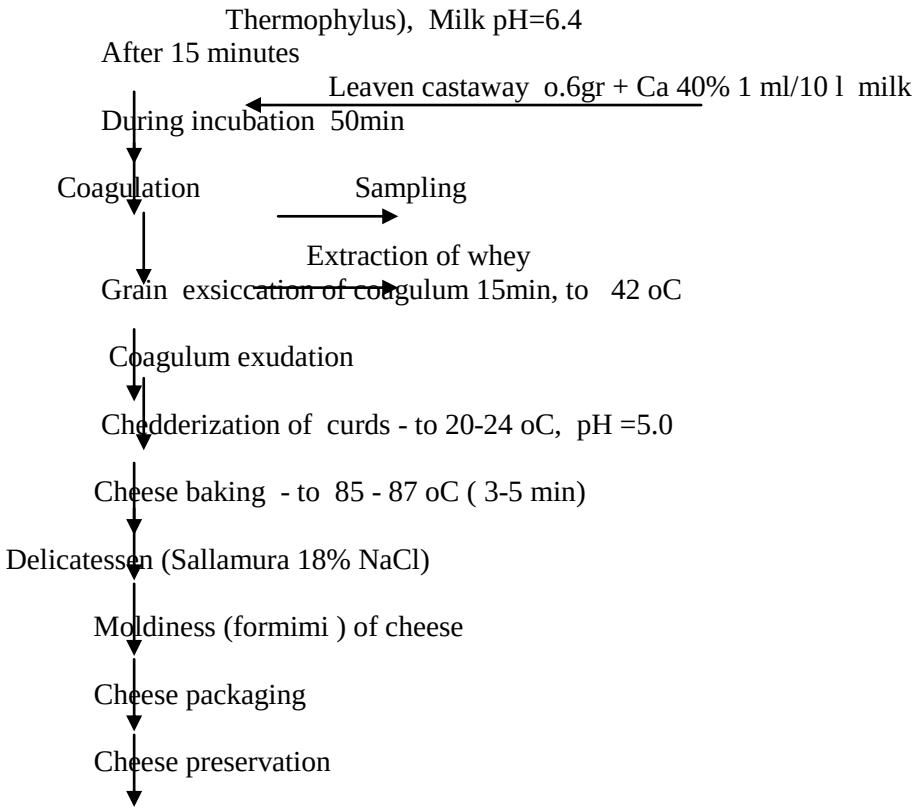
pH	6.44
Acidities oSH	7.0
Temp. Sample	18.3
Fat %	4.10
SNF %	8.54
Density	1.02600
Protein%	3.48
Lactose%	4.51
Added Water%	0.41
Solids %	0.71
Freezing Point	- 0.540
Conductometria - mS/cm	4.57

Table.2. Physico chemical analisys from cow milk standardized

pH	6.42
oSH	7.13 0 SH
Temp Samlle	17 0 C
Fat %	3.16
SNF %	9.50
Density	1.02919
Mate. Sec. %	10.11
Added Water %	0.00
Solids %	0.75
Freezing Point	-0.596 0 C
Conduc. mS/cm	4.49

Diagram for production for mozzarella cheese





Percentage of Buffalo Cheese produced from standardized milk with 3.2% of fat

Table.3.

pH	4.95
oSH	50.66
Fat %	19.36
Materie such %	68.53
General N %	2.17
General proteine %	39.37
Solids (NaCl) %	5.03
SNF %	29.81
% Fat in SNF*	10.41
Water %	31.47

Table.4. Percentage of Buffalo Cheese produced from non standardized milk 30 days

pH	5.58
oSH	22.6
Fat %	22.00
Materie such %	53.50
General N %	2.72
General proteine %	26.21
Solids %	1.49

Ash %	2.11
SNF %	34.84
% Fat in SNF	41.10
Water %	46.49

*SNF (Solids – not – fat) = proteins, lactose, minerals, acids, enzymes, vitamins

Results and Discusion

Cheese made from buffalo milk displays typical body and textural characteristics. More specifically, where chewing and stringing properties are specially desired as in the case of Mozzarella cheese, buffalo milk is technologically preferable over cow milk. In Italy, recently legislation has been introduced to restrict use of term "Mozzarella" only to those products exclusively made from buffalo milk (without admixture with cow milk). Certain traditional cheese varieties, such as pannier in India or pickled cheeses from the Middle-East countries, are best made from buffalo milk.

Buffalo, a fresh, stringy textured cheese with porcelain-white color, it has an extremely thin rind and delicate taste. When cut, it produces a white watery fluid with the aroma of milk enzymes. Apart from its typical round shape, it is also produced in small bite-sized shapes and plaits. Unlike cow's milk there is no need to homogenize goat's milk. While the fat globules in cow's milk tend to separate to the surface. When individuals have sensitivity to cow's milk.

Cow' Cheese Vs. Buffalo's Cheese

More proteins: Animal bioassays have shown the Protein Efficiency Ratio (PER) value of buffalo milk proteins to be 2.74 and that of cow milk as 2.49. It will be seen that buffalo milk has about 11.42 per cent higher protein than cow milk. More important minerals: Buffalo milk is also superior to cow milk in terms of important minerals per cent respectively than those present in cow milk. More viable commercially: Buffalo milk is commercially more viable than cow milk for the manufacture of fat-based and SNF-based milk products, such as butter, ghee and milk powders because of its lower water content and higher fat content. Most significantly, the lower cholesterol value should make it more popular in the health conscious market. By the virtue of greater opacity of casein micelles, coupled with higher levels of colloidal proteins, calcium and phosphorus, buffalo milk is more densely white and has superior whitening properties as compared to cow milk. Therefore, unlike the cow milk (which is pale - creams yellow in color) and cow milk fat (which is golden yellow in color), buffalo milk is distinctively whiter. UHT- processed buffalo milk and cream are intrinsically whiter and more viscous than their cow milk counterparts, because of conversion of greater levels of calcium and phosphorus into the colloidal form. Buffalo milk is, therefore, more aptly suitable for the production of tea and coffee whiteners than cow milk. Higher innate levels of proteins and fat render buffalo milk a more economical alternative to cow milk for the production of casein, caseinates, whey protein concentrates and a wide range of the fat-rich dairy products

In general, the reconstitution behavior of dried milk products made from buffalo milk is indistinguishable from those made from cow milk. Cheese made from buffalo milk displays typical body and textural characteristics. More specifically, where chewing and stringing properties are specially desired as in the case of Mozzarella cheese, buffalo milk is technologically preferable over cow milk. In general stocking rates for buffalo milk can be 10-20% higher than for cattle. The richness of buffalo milk makes it highly suitable for processing. To produce 1 kg of cheese, a cheese maker requires 8.5 kg of cow's milk but only 5 kg of buffalo milk. To produce 1 kg of butter requires 14 kg of cow's milk but only 10 kg of buffalo milk. Because of these high yields, processors appreciate the value of buffalo milk. Buffalo cheese is pure white. Milk none standardized utilized for produced cheese: Buffalo's milk with average 7.32% fat, we have gained Buffalo's cheese mozzarella with average 24.5% fat. But by cow's milk with average 4.10 % fat, we have gained Cow's cheese mozzarella with average 22.0 % fat.

Conclusion

Based on exploratory data for production of Mozzarella cheese from un-standardized milk from buffalo's milk we can conclude that:

Fresh milk mast is in the standard with number of microorganisms.

For the maturity of the curd coagulant the pH must have the value 5.0 – 5.2.
Color in buffalo's milk is pure white lacks the yellow pigment carotene, precursor for vitamin A, and it's whiteness is frequently used to differentiate it from cow's and goat's milk in the market. Despite the absence of carotene, the vitamin A content in buffalo milk is almost as high as that of cow's and goat's milk. Buffalo prefer to graze a shorter sward to cattle and goat's, nearer to that for sheep, but in cow's and goat's milk the color is creamy.
The smooth creamy texture of buffalo milk makes it ideal for many types of dairy product. The high levels of solids make processing very much more cost effective when compared to cows and goat's milk. Color of milk is a blend of individual effects produced by:
Colloidal calcium casein ate/phosphate particles and dispersed/emulsified fat globules, both of which scatter light.
Carotene (to some extent xanthophylls), which imparts a yellowish color.
The greater intake of green feed, results in deeper yellow color of cow milk.
Larger fat globules and higher fat percentage also results in increased intensity of yellow color. Upon heating whiteness increases due to increased reflection of light by coagulate. Skim milk has a bluish and whey a greenish yellow color (due to presence of riboflavin), riboflavin (vitamin B2) and potassium.
Fat percentage differentiation in between the non-standardized and standardized milk is big.
The Fat in buffalo's milk non standardized is 4.10 % and by standardized is 3.16 %.
3.16% fat = 100%;
4.10 % - 3.16 % = 0.94 % i.e. = 31 % of fat is more invested to produced mozzarella.

With non standardized milk 4.10 % of fat, we have had produced cheese with 22.0 % fat.
With standardized milk 3.16 % of fat, we have had produced cheese with 19.36 % of fat.
Difference between the cheese is: 22.0 % - 19.36 % = 2.64 % of fat
So:
i.e. 19.36% = 100 %
22.0 % = 100
2.64 % = x
_____

X = 264 : 22.0 = 12.0 %

31 % of fat we have more invested to produced cheese, and we have had produced cheese with 22.0 more fat i.e. 31 – 22 = 9.0 %
We have had lose of fat: 111.67 %/kg.

As is un economically to produced cheese with non standardized milk.
Because, we lose 111.67 %/kg of fat, to produced 1kg of cheese mozzarella.

Based on exploratory data for production of Mozzarella cheese from un-standardized milk of three kinds of animals by this we can conclude that:

1.1. Fat percentage differentiation in between the non-standardized sort's milk is big, notably, the buffalo's comparing with cow's milk. Buffalo's fat percentage is double higher than the cow's milk. Normally the Fat in buffalo's milk (7.32 %) is higher than that of cows (4.10 %) milk.
The SNF - (Solids – not – fat = proteins, lactose, minerals) in buffalo's milk (9.50 %) is higher than that of cow's (8.54%) milk. Protein in buffalo milk (3.79%) is higher than that of cows (3.48%).
The Lactose in buffalo's milk (4.92 %) is higher than that of cow's (4.51 %) milk.
The Solids in buffalo's milk is higher than that of cows. The oSH in buffalo's milk is higher (7.2oSH) than that of cow's is milk- 7.0 oSH.

The pH in cow's milk is higher (pH = 6.44 – 6.45) than that of buffalo's milk pH 6.21.
Color in buffalo's milk is pure white lacks the yellow pigment carotene, precursor for vitamin A, and it's whiteness is frequently used to differentiate it from cow's milk in the market. Despite the absence of carotene, the vitamin A content in buffalo milk is almost as high as that of cow's milk. Buffalo prefer to graze a shorter sward to cattle and goat's, but in cow's milk the color is creamy.
The smooth creamy texture of buffalo milk makes it ideal for many types of dairy product. The high levels of solids make processing very much more cost effective when compared to cow's milk. Color of milk is a blend of individual effects produced by:

- Colloidal calcium casein ate/phosphate particles and dispersed/emulsified fat globules, both of which scatter light.
- Carotene (to some extent xanthophylls), which imparts a yellowish color.

The greater intake of green feed, results in deeper yellow color of cow milk. Larger fat globules and higher fat percentage also results in increased intensity of yellow color. Upon heating whiteness increases due to increased reflection of light by coagulate. Skim milk has a bluish and whey a greenish yellow color (due to presence of riboflavin), riboflavin (vitamin B2) and potassium.
This can testify that pH has no any big alteration in between the coagulation and cheese of three sorts of milk, whilst acidity has an alteration from 2 – 3 oSH at the milk sorts. General N, Ash, Solids, has not any emphatic alteration. Total alteration of SNF is from 0 – 3%. But it has alterations in between the sorts of milk that was produced coagulant and cheese.

In high restriction should be respected the pH of coagulation for production of Mozzarella cheese, the pH should be 5.0 (maximum 5.2). This should be formerly designed with analyses at the laboratory, a part of coagulant should be tested at a dish with temperature according to given diagram for reaching maturity of coagulation of three milk sorts.
Furthermore the percentage alteration of dry matters and water are small (from 1-3%) of cheese coagulation, because of daily produced cheese is fresh and could not have opportunity for cheese maturity. But there is alteration between sorts of milk for production of Mozzarella cheese, in between coagulation and cheese 1-3% these difference is notably at sorts of buffalo milk.
For the maturity of the curd coagulant the pH must have the value 5.0.
The temperature must be raised with 2oC more in order to fully ensure the pasteurization of the curd coagulan. Fat percentage alteration in dry matter in between coagulation and cheese from three sorts of milk is not of great alteration (from 0 – 1 %) that is as result of a daily production of fresh milk but this percentage differs between milk sorts (up to 1-3%) on the favor of buffalo milk sorts.
Percentage alteration of casein in total between the coagulation and cheese is not any great alteration (0, 5 – 1.5), but there is changes in between the production of coagulation and cheese from different sorts of milk, notably between those of buffalos and cows is 3% in the favor of buffalos milk.
Ash percentage has a change of 0.20% between different sorts of milk that was cheese produced, but the percentage difference of coagulation and cheese approximately is 0.15%.
Furthermore percentage alteration of solid between coagulation and cheese is up to 0.15% and also between sorts of milk products is 0.23% in favor of buffalo cheese.
Fat percentage in SNF it is not in big change 1.36% between coagulation and cheese at the all sorts of milk, in between production of milk sorts is higher at buffalos 0.8% in favor of the buffalo's milk products.

Counsel for practice- For the maturity

It is of greater importance that there is not of economic profitability to produce Mozzarella cheese from un-standardized milk.

It is of greater importance that we have not of economic profitability to produce cheese from un-standardized milk.

If we wish to produce cheese from Cow's milk with 4.1% of fat, we will have cheese with 22% of fat in cheese.

a). If we wish to produce cheese from Cow's milk with 3.2% of fat, we will have cheese with 21% of fat.

b). Percentage alteration of fat in cheese at un-standardized Cow's milk (22%) and standardized milk (21%) is 1% more.

c). Percentage of un-standardized fat 22 %: 4.1% = 5.36 % more.

d). Standardized per centered of fat 21% : 3.2% = 6.56 % more.

e). Alteration between 6.56 : 5.36= 1.22 times more.

f). Standardized Cow's milk is 1.22 % more profitable then un-standardized milk

g). we have 1.22 % more percentage loss of fat in cheese with un-standardized milk.

Percentage loss of fat in whey of un-standardized cow's milk during the production process of mozzarella is 1.22%.

Meanwhile, percentage of fat in whey depends from standardized kind of milk which is from 0.50 – 75% of fat.

Though the results of this particular examination are quite good, we would recommend a temeprature raise of 2oC, from 85 oC to 87 oC for a 2-3 minutes period of the pasteurization of the curd coagulant.

During the production of the mozzarella cheese we had at disposal the proper conditions, but the conditions in Kosova in general are not favorable for the production of this type of cheese with regard to the registered microbiological indicators of the fresh milk.

It is crucial that the Kosova government takes measures for enacting laws and drafting administrative regulations and instructions for creating good conditions for the farmers so that the milk has fewer microorganisms and meets the European standards.

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ELSIDA SINAJ, PROF. ASOC. DR. GËZIM DIBRA – ROLI I PSIKLOGUT NE OFRIMIN E SHERBIMIT NË QËNDRAT SHENDETËSORE

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Abstrakti

Psikologjia e shëndetit është një disiplinë e cila ka njohur nje rritje shumë të shpejtë ndër vite, duke u integruar keshtu në mënyrë mjaft efektive dhe me disiplina të tjera me në qendër mirëqënien e njeriut. Strategjia kryesore që praktikohet brenda psikologjisë së shëndetit është fokusimi mbi faktorët bio-psiko-social. Studiesit e shumtë të psikologjisë së shëndetit argumentojnë se shëndeti dhe sëmundjet ndodhin si rezultat i një përzierje midis këtyre faktorëve biologjike, psikologjike dhe sociale. Përcaktuesit biologjik përbëhen nga kushtet gjenetike dhe tipare të trashëguara të tipareve të personalitetit. Disiplina e psikologjisë si një disiplinë që merret veçanerisht me sjelljen, gjithashtu luan një rol mjaft të rëndësishëm për të kuptuar konceptet shëndet dhe sëmundje, duke qenë se të dy këto koncepte ndikohen në mënyrë të konsiderueshme nga vetë sjellja e njeriut. Efekti i rolit të psikologut të shëndetit mund të vihet re në disa drejtime që konsistojnë në dhënien e ndihmës këshilluese, lehtësuese, parapargatitëse, parandaluese në kujdesin primar, sekondar dhe tercial), nga ana tjetër psikologët e shëndetit apo vetë disiplina e psikologjisë së shëndetit është një disiplinë e cila promovon në mënyrë të vazhdueshme mënyrat sesi një individ apo një shoqëri të jetojë në mënyrë të shëndetshme dhe të shmangë apo të parandalojë ato sjellje që mund të ndikojnë negativisht në shëndetin e individit por dhe të shoqërisë në përgjithësi. Qëllimi i këtij artikulli është që të përshkruaj rolin e psikologut të shëndetit (por dhe klinik, këshillues) në dhënien e kujdesit shëndetësor e parë sipas prespektivës biopsikosociale në lidhje me shëndetin dhe sëmundjen.

Fjalët kyçe: psikologji, psikologji shëndeti, modeli biopsikosocial, terapi

Hyrje

Koncepti i sëmundjes ndryshon në periudha të ndryshme, dhe përcaktohet historikisht dhe në varësi të kontekstit social-kulturor. Koncepti shëndet është akoma dhe më i vështirë për t'u përcaktuar duke qenë se është një gjendje individuale. Për të shpjeguar këtë nocion nevojiten argumente dhe modele të ndryshme. Modelet kryesore që përpiqen të japin një shpjegim ndahen në dy drejtime kryesore si modeli biomedikal dhe ai biopsikosocial.

Modeli Biomedical është një model i cili reflekton plotësisht postulatet e mjekësisë klasike aplikuar për shëndetin dhe sëmundje. Ky model përjashton faktorët psikologjik dhe social duke përfshirë vetëm faktorët biologjik si një mënyrë e të kuptuarit të sëmundjeve apo çrregullimeve (Farlex Partner Medical Dictionary, Farlex 2012). Proçeset biomedikale janë të ndara nga ato bio-psikosociale dhe mendohet se janë të vetmit përgjegjës për gjenezën e sëmundjes, ku trupi është si një makineri dhe sëmundja është defekti i makinerisë. Ekzistojnë shkaqe të thjeshta që shkaktojnë efekte patagjonike, në qendër të së gjithës janë gjendjet dhe efektet patogjenike (Trovato, 2012). Në modelin biomedikal tradicional gjendet qasja reduksioniste, që është në kërkim të shkaqeve organike (sistemit) jofunksional, që kryen një operacion "objektivist" dhe e "fragmenton" realitetin e të sëmurit duke marrë në konsideratë vetëm pjesën e dëmtuar të trupit duke mos shfaqur interes për pjesën tjetër. Si pasojë, sëmundja shpjegohet si një devijim nga norma dhe, për çdo shkak ekziston një shpjegim primar objektivisht e identifikueshëm. Kujdesi i pacientit bëhet përmes përdorimit të mjeteve "objektive" si barnat (ilaçet), operacionet, aplikacionet lokale, në përputhje me llojin dhe shkallën e defiçitit të gjendjes fizike biokimike dhe funksionale. Dhe në këtë mënyrë bëhet një përjashtim i

faktorëve socio-psikologjik dhe sjellor të cilat nuk i konsiderohen si shkaqe të mundshme të sëmundjes, dhe nuk vlerësohen në procesin e diagnozës (Ongaro & Basaglia, 1982; Engel, 1977; Schneiderman, Ironson, Siegel 2005). Duke folur nga ky këndvështrim, shpjegohet se "modeli Biomedical kërkon jo vetëm që sëmundja të trajtohet si e pavarur nga sjellja shoqërore e subjektit, por gjithashtu pretendon se edhe sjelljet anormale mund të shpjegohen dhe në bazë të proçeseve somatike (biokimike dhe neurofiziologjike). Modeli Biomedikal përfshin të dy këto reduksionizma, që është dualizmi mendje-trup, doktrina që e ndan mendoren nga somatikja (Fortuni, 2002). Një tjetër model po kaq i rëndësishëm është dhe modeli bio-psikosocial.

Modeli Biopsikosocial është një model që merr parasysh faktorët psiko-social, dhe beson se gjatë realizimit të vlerësimit dhe të përcaktimit të diagnozës mjekësore duhet të merren parasysh jo vetëm faktorët biologjik, por dhe ato psikologjikë dhe social (Engel, 1977; Consoli, 2000; Lakhan, 2007). Organizata Boterore e Shendetesise (WHO) në vitin 1946 evidentoi dhe hodhi poshtë konceptet e vjetra në të cilat shëndeti konceptohej si mungesë e thjeshtë e sëmundjes, duke e quajtur atë si "një gjendje, mirëqenie e plotë mendore, fizike dhe sociale." Modeli biopsikosocial përfshin një panoramë të gjerë të kontributeve të sociologjisë, psikologjisë dhe pedagogjisë që mbizotërojnë nga ajo mjekësore, për të konceptuar bilancin individual në harmoni me të gjithë komponentët (biologjikë, psikologjikë, social) (Campbell, Rohrbaugh, 2006). Ekzistenca e potencialeve të tilla, brenda secilit prej nesh, e bën individin të jetë në gjendje për të eliminuar sëmundjet që mund t'i ndodhin përgjatë harkut kohor të jetës. "Ky koncept modern i shëndetësisë, kërkon edhe një përkufizim më të gjerë, si një ndërdisipline e plotë, dhe se shëndeti nuk mund të kuptohet në mënyrë të pjesshme. Shëndeti i njeriut është i lidhur ngushtë rezultat i bashkëveprimit mes njeriut dhe mjedisit, ku mjedisi përbën kuadrin kryesor që ndikon në cilësinë e jetës (Mongelli, 1990). Jeta "normale" e një individi nuk mund të konsiderohet vetëm si gjendje d.m.th statike ose si një ekuilibër dinamik, por është edhe rrjedhojë e një sërë ndryshimesh të vazhdueshme që vijnë nga kushtet, ku individi është në luftë të vazhdueshme për t'u adaptuar me ndryshimet e mjedisit fizik, dhe të kuptuarit socio-kulturor si një mënyrë për të vendosur marrëdhënie sa më efikase dhe sa më vetë-realizuese, sepse gjendja mendore nuk është një gjendje e mungesës së konfliktit dhe e tensionit, por është aftësia për të menaxhuar konfliktet e brendshme dhe të jashtme; ku mendja, si trup, tenton për të gjetur mënyra të reja për t'u përshtatur në mënyrë sa më efikase (Borsellino, 1998; Havelka, Lucanin & Lucanin, 2009). Progresi që ka njohur psikologjia e shëndetit ka krijuar dhe modele të reja besimi dhe të menduari në lidhje me shëndetin dhe sëmundjet. Kjo vihet re dhe nga mënyra pra se si modeli biopsikosocial e shikonte shëndetin dhe sëmundjen si produkt i një kombinimi faktorësh biologjike (p.sh. predispizues, gjenetik), faktorësh sjellorë, (p.sh. stilit të jetesës, situatave stresuese, besimeve dhe qëndrimeve shëndetësore) kontekstit social (p.sh. ndikimet kulturore, marëdhëniet familjare, shoqërore etj). Njohja në mënyrë globale e nocionit shëndet ndikon pozitivisht dhe për vetë individin por mbi të gjitha ndikon mjaft pozitivisht në politik-bërjen e e instancave të larta shëndetësore apo dhe për vetë institucionet e shëndetit publik. Njohuritë në këtë fushë lidhen me faktin që njerëzit mund të zvogëlojnë mundësinë për të pasur probleme të mëdha shëndetësore, mund të zvogëlojnë kostot për t'u kujdesur për sëmundjen, për politik-bërjen efektiviteti mund të vihet re më herët nëse ato mund të sugjerojnë programe të sukseshme ndryshimi modifikimi apo dhe parandalimi nëpërmjet ndërhyrjeve dhe programeve psikosociale, programeve Informuese Komunikuese Edukuese për ndryshimin e besimeve dhe mbi të gjitha të sjelljeve shëndetësore, dhe në këtë mënyrë kostoja ekonomike do të jetë më e ulët kjo për faktin sepse promovimi, informimi, edukimi rrisin nivelin e edukimit dhe ulin nivelin e sjelljeve të dëmshme shëndetësoredhe sëmundjeve që lidhen me to. Sëmundjet që lidhen me stilin e jetës dhe sjelljet e dëmshme shëndetësore janë shtuar dukshëm vitet e fundit, sipas të dhënave nga INSTAT vitet e fundit në Shqipëri ka pasur një rritje të madhe të prevalencës dhe incidencës të sëmundjeve që lidhen drejtpërsëdrejti me stilin e cilësinë e jetës, sjelljet dhe besimet shëndetësore (INSTAT, 2010). Studimet në fushën e Psikologjisë Shëndetësore tregojnë se mungesa e aktivitetit fizik, pirja e duhanit, dietat e pashëndetshme, marrëdhëniet e pambrojtura seksuale janë sjellje të pashëndetshme që ndikojnë në cilësinë e jetës dhe shëndetit (Organizata Botërore e Shëndetësisë, (WHO, 2009). Duke u rikthyer dhe një herë tek rëndësia e modelit biopsikosocial ky model edhe pse daton në shekullin 20-te është mjaft aktual dhe është bërë universale, duke u pranuar dhe miratuar dhe nga Organizata Botërore e Shëndetësisë (WHO, 2002). Nisur nga fakti që sjellja shëndetësore që manifeston individi mund të jetë një ndër shkaktarët kryesorë për cilësinë e shëndetit, modeli

psikosocial e merr këtë element duke e trajtuar me një përparësi të madhe. Sjelljet shëndetësore (health behaviors) janë ato veprime që ndërmerren nga individi për të ruajtur, kontrolluar shëndetin apo për të parandaluar një sëmundje. Sjelljet shëndetësore përcaktohen në mënyra të ndryshme nga studiues të ndryshëm. Kasl dhe Cobb (1966) i përcaktojnë sjelljen shëndetësore si një veprim i qëllimshëm që individi ndërmerr për të zbuluar, parandaluar, përmirësuar dhe siguruar mirëqënien. Gochman (1997) i përkufizon sjelljet shëndetësore si (sjellje modeluese) si veprime shprehi që ndikojnë në mirëmbajtjen dhe përmirësimin e shëndetit (Rosenstock (1974) propozon se një sjellje shëndetësore është një sjellje e qëllimshme për të parandaluar një sëmundje (Modeli i besimit shëndetësor, HBM). Më tej sjelljet shëndetësore janë përcaktuar dhe nga Matarazzo (1980) ku ndër të tjera përfshin, zakonet, dhe sjelljet dëmtuese të shëndetit të cilat ai i përcakton si sjellje patogjene (SP) (p.sh. pirja e duhanit, dhe të ushqyerit me yndyrna). Gjithashtu ai përmend dhe sjelljet mbrojtëse të shëndetit të cilat ai i përcakton si sjellje imunogjene (SI) (realizimi i kontrolleve shëndetësore). Sjelljet që mund të kenë një efekt pozitiv (SI) mund të jenë sjellje të tilla si larja e dhëmbëve, vendosja e rripit të sigurimit, kërkimi i informacionit për shëndetin, realizimi i kontrolleve të rregullta shëndetësore, check-upeve, realizimi i orëve te rregullta të gjumit natën, të ushqyerit e shëndetshëm. Sjelljet shëndetësore gjithashtu ndikojnë dhe në cilësinë e jetës së individëve, duke vonuar fillimin e sëmundjeve kronike dhe duke rritur cilësinë e jetës aktive. Pirja e duhanit, konsumimi i alkoolit, mbajtja e dietave ekstreme, mungesa e shërbimit dhe kontrollit parësor etj janë përcaktues të rëndësishëm të shëndetit të dobët (Lichtenberg, 2003). Gjithashtu Doll dhe Peto (1981) sugjeruan se rreth 50% e vdekjeve që ndodhin ndër 10 shkaqet kryesore që lidhen me vdekshmërisë ndodhin për shkak të sjelljeve. Ata gjithashtu vlersuan se 30% e vdekjeve nga kanceri vinin nga konsumimi i duhanit, 3% nga alkooli, 35% nga dietat, 7% nga sjelljet seksuale. Në Britani të Madhe. 90% e vdekshmërisë nga kanceri i mushkërive i atribuohet pirjes së duhanit, ku pirja e duhanit gjithashtu lidhet edhe me sëmundje të tjera të tilla si kancerit të fshikëzës së urinës, pankreasit, gojës, fytit dhe ezofagut por edhe me sëmundjet koronare të zemrës (McKeown, 1838-1970). Studimet e fundit gjithashtu tregojnë se numri i vdekshmërisë mund të jetë e lidhur me disa nga sjelljet e rrezikshme (Kvaavik, Batty, Ursin, Huxley, Gale, 2010; Pryde & Kannel, 2010, Bellis, Hughes, Leckenby, Hardcastle, Perkins & Lowey, 2014). Psikologët, kryesisht psikologët e specializuar në fushën e mjekësisë luajnë një rol të rëndësishëm në të kuptuarit e faktorëve biologjike, social dhe sjellorë që supozohet të influencojnë në cilësinë e jetës dhe të shëndetit. Psikologët e shëndetit (por dhe ato klinikë dhe keshillues) janë të pajisur me njohuri dhe teknika që i bëjnë ata të aftë të njohin dhe të analizojnë tjetrin. Psikologët janë të aftë të njohim proçeset sjellore, njohëse, dhe emocionale të tjetrit, ato gjithashtu mund të ndihmojnë në zbutjen e shqetësimeve psikologjike, dhe në përgatitjen e pacientit për të përballuar situatat me të cilat atij i duhet të përballet gjatë trajtimit mjeksorë. Psikologët mund të ndihmojnë individin të modifikojë apo dhe të ndryshojë besimet dhe sjelljet keqpërshtatëse, dhe këtë modifikimin ata e arrijnë nëpërmjet një sërë teknikash psikologjike, psikoterapeutike të cilat e ndihmojnë individin të funksionojë në mënyrë më të shëndetshme. Në shumë vende të botës ka një kërkesë shumë të madhe për të pasur në institucione psikologë, kryesisht psikologë të cilat janë specializuar në fushën e shëndetësisë (Walsh, McDermott, 2003). Rëndësia dhe nevoja për praninë e psikologëve në qëndrat shëndesore lidhet gjithashtu me faktin pasi ata mund të jenë të aftë të bashkëpunojnë në mënyrë mjaft efektive edhe me ekipin multidisiplinar, duke punuar në këtë mënyrë së bashku me profesionistë e tjerë të shëndetit (mjekët, infermierët, punonjësit socialë etj), duke planifikuar së bashku me ta mënyrat më efikase për trajtimin e pacientëve, por në të njëjtën kohë psikologu mund të ndihmojë vetë punonjësit e shëndetësisë të jenë më të relaksuar dhe të zhvillojnë një komunikim më efikas me pacientët sidomos në situatat kur pacienti dhe familjarët e pacientit janë të irrituar për shkak të sëmundjes që mund të ketë pacienti (Shoqata Amerikane e Psikiatris (APA), 2010). Në çështjen në vijim do të flitet në mënyrë më specifike për rolin e psikologut në qendrat e kujdesit shëndetësor, duke krijuar në këtë mënyrë një panoramë më të qartë për këtë pozicion dhe për kontributin që sjell roli i tij.

Psikologët e shëndetit dhe kujdesi shëndetësorë, kujdesi i Integruar Shëndetësor

Psikologët e shëndetit janë të aftë të praktiojnë një gamë të gjëra aftësish në ofrimin e kujdesit shëndetësor. Kjo gamë e gjërë aftësish vjen dhe si rezultat u zgjerimit të vazhdueshëm të njohurive individuale dhe unike të psikologëve për rritjen profesionale si një domosdoshmëri për të rritur

mirëqënien e shëndetit të individit në veçanti por dhe të shoqërisë në përgjithësi. Pjeësmarrja apo integrimi i rolit të psikologut në institucionet e kujdesit shëndetësorë është një hallkë mjaft e rëndësishme në ndërtimin e grupit multidisiplinar.
Grupi multidiplinar ku përfshihet dhe psiklogu, bën të mundur që gjatë përcaktimit të një diagnoze të merren parasysh aspektet fizike psikologjike dhe sociale të sëmundjes së pacientit. Kjo mënyrë shërbimi kontribuon në arritjen e një "qëllimi të trefishtë" në intsitucionet e kujdesit shëndetësor duke përmirësuar cilësinë e kujdesit dhe uljen e kostove.
Pjesmarrja e psikologut në këtë grup gjithashtu rrit nivelin e komunikimit dhe bashkpunimit mes stafit si një domosdoshmëri për ecurinë me efektive të punës, por gjithashtu ky bashkpunim ndikon dhe në zbatimin e një plani gjithpërfshirës të adresuar ndaj nevojave të pacientit që merr shërbimin shëndetësor.
Ekipi multidisiplinar i kujdesit shëndetësor mund të përbëhet nga (p.sh., mjekë, psikologë, infermierë, asistentë mjek, punonjës social, dhe terapistët fizike) kjo është në varësi të nevojave që mund të ketë pacienti. Një grup i tillë bën të mundur që pacienti të marrë në mënyrë efektive të gjithë trajtimin e nevojshëm dhe mbi të gjitha ai mund të motivohet dhe të nxitet për t'u shëruar (studiuesit shprehen se ata pacientë të cilët besojnë në forcën e punës së mjekut dhe anëtarëve të tjerë të ekipit, janë të predispozuar të shërohen më shpejt, kjo për faktin sepse ata ndihmojnë vetë veten e tyre (self care), duke ndjekur me përpikmëri këshillat e mjekut) (Williams, Weinman, Dale, 1995; Khaild, Abdulranlman, 2003; Heller, Kotrlová, Sobotková, 2012).
Prezenca e psikologut dhe bashkëpunimi i tij efektiv me grupin, ndikon pozitivisht në zbutjen e diagnozës së pacientit, ndikon në uljen e afatit kohorë për trajtim, gjithashtu ulin mundësinë që pacienti të përjetojë nivel të lartë ankthi dhe stresi dhe mbi të gjitha mund të ndihmojë në parandalimin e simptomave të depresionit (Brehms, 2008).

Ky lloj shërbimi që i jep një përparësi të madhe dhe rolit të psikologut, i cili mund të përfshihet në fusha të ndryshme të cilat do të listohen më poshtë.

Kujdesi parësor
Roli i psikologut në kujdesin parësor është evidentimi i menjëhershëm i problematikës dhe përcaktimi i diagnozës, në promovimin e sjelljeve të shëndetshme shëndetësore me qëllim parandalimin e sëmundjeve të rrezikshme (APA, 1998; Karlin, Duffy, 2004; Zeiss, Karlin, 2008)
Kujdesi dytësor
Roli i psikologut në kujdesin dytësor konsiston në dhënien e vlerësimeve psikologjike dhe në përcaktimin e diagnozës, llojin e trajtimit psikologjik, dhe në marrjen e vendimit për rehabilitimin. Nga ky shërbim mund të përfitojnë grupmosha të ndryshme dhe me nevoja të ndryshme duke filluar nga nevoja të lehta deri tek grupet e individidëve me nevoja specifike (individ me aftësi të kufizuara, individ me dëmtime truri etj) (Bradley et al., 1994; Resnick, Rozensky, 1996).
Kujdesi terciar
Psikologu si anetar i këtij grupi pune është shumë i rëndësishëm duke qënë se vetë grupi i punës në këtë shërbim mbulon raste të rënda, ku ndihma e psikologut konsiston në lehtësimin e vuajtjeve psikologjike për ato pacientë që vuajnë nga sëmundje të rrezikshme për jetën si (kanceri), nga sëmundje kronike (sëmundjet e veshkave) etj. Ndërhyrjet e shumta që fokusohen mbi sjelljen tek kjo kategori pacientësh përdoret për të menaxhuar dhimbjen (Kerns, Turk, Holzman, & Rudy, 1986; Dath, Dong, Steëart, Sables, 2014).

Roli i psikologut në spital dhe në qëndra e tjera mjeksore (ambulance)

Shërbimi psikologjik në spitale ofrohet sipas një protokolli të caktuar, ku shprehet në mënyrë specifike secili shërbim që mund të ofrohet. Psikologu në qëndrat shëndetësore dhe në spital mund të punojë në mënyrë të pavarur ose mund të jetë pjesë e vazhdueshme e ekipit multidisiplinar. Mbeshtetja e ofruar nga puna e psikologut ndihmon në rritjen e cilësisë së punës së stafit dhe në përmirësimin e cilësisë së jetës së pacientëve. Sipas kualifikimit që kanë psikologët mund të ndahen dhe të mbulojnë reparte apo qëndra të caktuara shëndetësore. Psikologët klinik mund të ofrojnë shërbimin e tyre në qendrat e Shëndetit Mendor (Psikiatri), por jo domosdoshmërisht mund të punojë vetëm në këto qendra, megjithatë qendrat e tjera mund të mbulohen dhe nga psikologë të tjerë, kjo

duke u nisur dhe nga fakti që psikologu punën e tij e përqendron në ofrimin e mbështetjes psikologjike duke marrë në konsideratë dhe elementët e shëndetit fizik (Soons, Denollet, 2009). Në të gjitha shërbimet psikologu mund dhe është e nevojshme të bashkëpunojë me ekipin multidisiplinar, si edhe me familjarët e pacientit, ku gjatë gjithë kohës ai mban shënime të dokumentuara në formë dosjesh psiko-klinike për çdo rast (pacient). Psikologët ofrojnë shërbime e tyre klinike dhe shëndetësore në spitale dhe në qendra të vogla shëndetësore, kjo qoftë për pacientët të cilët mund funksionojnë në mënyrë të pavarur dhe për ata pacientë të cilët nuk funksionojnë në mënyrë të pavarur dhe janë në gadishmëri të vazhdueshme çdo ditë për të pritur dhe pacient të rinj që kanë nevojë për mbështetje dhe këshillim (Bodiwala, 2007). Sipas Shoqatës Amerikane të Psikolgjisë (2014), psikologu në qendrat e shëndetit mund të kryej këto detyra: realizimin e vlerësimit dhe përcaktimin e diagnozës, ndërhyrjen dhe trajtimin e nevojshëm, konsultimin me profesionistët e tjerë, përpilimin e programeve specifike në përputhje me nevojat, mbikqyrjen, dhe të kontribuojë shkencërisht për fushën ku ai punon (APA, 2008; Gruy, 2010; Oxman, Dietrich, 2005).

Vlersimit psikologjik dhe përcaktimi i diagnozës

Një vlerësim psikologjik është vlerësimi i të menduarit, të mësuarit dhe sjelljes së një individi.Vlerësimi në vetvete mund të përfshijë intervista, vëzhgime, testime. Vlerësimi mbulon shumë fusha dhe aftësi, të tilla si vlerësim i nivelit të përgjithshëm intelektual, të gjuhës, të kujtesës dhe të të mësuarit, zgjidhjen e problemeve, planifikimin dhe organizimin e aftësive motorike fine, aftësitë vizuale dhe hapësinore, gjithashtu dhe aftësitë akademike (lexim, matematikë, drejtshkrim dhe të shkruar). Vlerësimi gjithashtu përfshin dhe një shqyrtim të sjelljes dhe emocioneve të individit. Për të arritur një vlerësim sa më efikas dhe të saktë të këtyre aftësive, psikologët përdorin teste psikometrike të standartizuara që vlerësojnë pra në mënyrë të përgjithshme nivelin e inteligjencës, tiparet e personalitetit, gjithashtu nivelin e motivimit, prirjet, dhe sjelljet shëndetësore (Goldstein, Beers, 2004; Mueser, Rosenberg, Michelle, Fox, Ford, Carty, 2001).

Trajtimi

Vendosja për llojin dhe mënyrën e trajtimit të një pacienti është një ndër vendimarrjet më të rëndësishme për psikologët por dhe për profesionistët e shëndetit. Psikologët mund të ofrojnë një shumëllojshmëri të gjerë ndërhyrjesh për individët, grupet, çiftet dhe familjet. Shpesh gjendja psikologjike nuk rëndohet vetëm për pacientin, në të shumtën e rasteve janë dhe vetë familjarët e pacientit të cilët përjetojnë një gjendje të rënduar psikologjike, prandaj psikologu duhet të ndodhet në mënyrë të vazhdueshme në institucion në mënyrë që të përballet dhe të trajtojë në kohë dhe me efikasitet situatat e rënduara psikologjike (Nezu, Nezu, Lombardo, 2001; Edwards, Stern, Clarke, Ivbijaro, 2010).

Konsultimet

Shumë psikologë mund të sigurojnë konsulta psikologjike edhe për profesionsitët e shëndetit për shkollat, organizatat e ndryshme etj Për shembull, një psikolog mund të ndihmojë një mjek për të menaxhuar më mirë situatën me pacientin, në ato raste kur është krijuar një situatë e pakëndshme komunikimi. Një biznesmen gjithashtu mund të konsultohet me një psikolog që ta ndihmojë atë në zbutjen e konflikteve midis punëtorëve ose ta ndihmojë atë në menaxhimin e stresit, ose ta përgatësisë me aftësi më të mira organizative.

Rekomandimet

Shëndeti dhe mirëqënia e shoqërisë është kthyer në një nga çështjet shumë të rëndësishme në të gjithë botën. Një shëndet i mirë është i lidhur ngushtë me faktorët, sjellorë, biologjikë dhe social. Integrimi i modelit Biopsikosocial dhe atij sjellorë është gjithashtu një proçedur që po ndiqet me shumë kujdes nga politik-bërsit e shëndetit botërorë. Përfshirja e një metode të tillë është e vështirë duke u nisur dhe nga fakti se institucionet shëndetësore i japin rëndësi më shumë modelit Biomedikal, por që ky është

një model që siç është cituar dhe më lartë nuk merr në konsideratë dhe faktorët psikolgjikë dhe social, duke e parë njeriun vetëm si një qënie biologjike.
Duke parë përparësitë që ka modeli biopsikosocial dhe lehtësisë së aplikimit të tij miratimi i tij si model bëhet i nevojshëm duke qenë se ky model, është një model gjithëpërfshirës që është shumë afër nevojave dhe kërkesave të shoqërisë, për t'i siguruar një mirëqënie psikologjike, një shëndet më cilësor, dhe një stil jete më aktiv.

Konkluzioni

Roli i psikologut ka qenë një rol i rëndësishëm që në fazat e hershme të zhvillimit të tij si profesion. Fillimisht roli i psikologut konsistonte në vlerësimin dhe diagnostifikimin e shqetësimeve psikologjike që mund të kishte individi. Profesioni i psikologut ka qënë një profesion që ka njohur në mënyrë të vazhdueshme zhvillim duke u pajisur në këtë mënyrë me teknika dhe metoda që kishin në qendër të vëmendjes përmirësimin e gjendjes emocionale të individit, duke marrë në të njëjtën kohë në konsideratë kontekstin social dhe kulturor që jeton individi apo dhe me gjerë një shoqëri. Me rritjen e njohurive dhe psikologët janë bërë më të aftë për të diagnostifikuar dhe për të vlerësuar më me efektivitet një çrregullim apo një problematike emocionale që mund të ketë një individ. Psikologët tashmë kanë një mundësi më të madhe për të ofruar kontributin e tyre si ekspert mbi kujdesin shëndetësorë gjithashtu ata tashmë njohin mjaft mirë dhe rëndësinë që mund të ketë një ndërhyrje e bazuar në sjelljen për përmirësimin e vetë-kujdesit shëndetësor që duhet të ketë individi në lidhje me shëndetin e tij.

Ky artikull synoi përshkrimin dhe diskutimin mbi rolin e psikologut (klinik, të shëndetit, këshullues) në ofrimin e kujdesit shëndetësorë në qendrat shëndetësore. Roli kryesor konsistonte në diagnostifikimin, vlerësimin, ofrimin e terapisë duke u mbështetur në modelin Biopsikosocial. Diskutimi i bërë gjatë punimit të këtij artikulli mund të mos jetë i pranueshëm nga të gjithë kjo për faktin sepse studies të ndryshëm mund të përkrahin modele dhe teori të ndryshme nga ajo biopsikosociale.

Roli i psikologut kryesisht i psikologut të shëndetit në qendrat shëndetësore pavarësisht rritjes së vazhdueshme akademike që njeh, gjithashtu është e nevojshme që profesionistë të kësisoj fushe të specializohen në mënyrë të vazhdueshme në përputhje me nevojat e reja dhe emergjente që njeh një shoqëri duke respektuar dhe duke qenë në përputhje me parimet etike të kodit të sjelljes.

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PHD (C) DRITAN CEKA, PROF. ASOC. DR. FATMIR VADAHI, MSC. ANILA JAKU – ROLI I FAMILJES NË FORMIMIN E SJELLJEVE KULTURORE TË FËMIJVE

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Abstrakti

Që në fillim të ekzistencës së vet shoqërore, njerëzimi ndjeu nevojën e përcaktimit të disa rregullave që duhej të respektoheshin nga të gjithë anëtarët e një bashkësie, në mënyrë që jetesa e përbashkët të ishte sa më e pranushme. Format e shfaqes së mirësjelljes mund të ndryshojnë jo vetëm nga njëri vend tek tjetri, por nga një epokë tek tjetra, duke pasur parasysh mjedisin shoqëror dhe rrethanat e ndryshme. Njeriu i ndershëm e respekton kurdoherë premtimin e dhënë, ka parime morale të shëndoshta, fisnikëri shpirëtërore, nderim ndaj vetës dhe ndaj të tjerëve. Qëllimi i çdo njeriu është të bëjë një jetë të këndëshme, të bukur edhe kur individi që është më pak konformist, mund të arrijë në këtë përfundim. Qëllimi dhe detyra edukative të familjes te na janë në pajtim me qëllimin dhe detyrat e përgjithshme edukative në shoqërinë tonë. Familja tuj vepruar në mënyrë unike me të gjithë faktorët tjerë edukativ jep një kontribut të rëndësishëm në edukatën e fëmijëve të zhvilluar të gjithanshëm i cili është shtylla krysore në edukimin e fëmijëve në formimin e sjelljeve kulturore të fëmijve.

Fjalët Çelësa: Familja, fëmijët, sjelljet, kultura

Hyrja

Familja është bashkësi parësore njerëzore, ku individi së pari takohet me kushtet e jetës shoqërore,të cilat ia përcaktojnë atij kornizën, në të cilën ai mund të zhvillohet si individ,kështu që mund të themi se personaliteti njerëzor formohet në procesin e ndërveprimit të të gjithë fakëtorve shoqëror.
Formimi i personalitetit "është proces kompleks i cili përfshin: 1.Kultivimin dhe zhvillimin e aftësive të konsiderushme fundamentale njerëzore, e që arrihet me bartjen e elementeve thelbësore të kulturës tek fëmija. Me anë të të mësuarit merren përvoja të ndryshme të një kulture të dhënë dhe bëhët aftësimi për vetëveprim dhe pjesëmarrje në procesin krijues të zhvillimit kulturor. 2.Socializimin si proces në të cilin fëmija inkorporohet brenda rregullativave shoqërore,përmes roleve dhe normave me të cilat njoftohet ai,krijon njëkohësishtë masa dhe kritere personale të sjelljes. 3. Individualizimin,si proces me ndihmën e të cilit zhvillohet sistemi i brendshëm i motivimit dhe kuadrit orientues në përputhje me cilësitë personale të individit.

Fëmija nuk lind i formuar,por ai lind me predispozita që të bëhet njeri i formuar në konteksin e ndërveprimit të fakëtorve shoqëror. Ai së pari e njeh familjen e vet dhe gradualisht bëhet personalitet gjatë interaksionit të ndërlikuar kulturor të jetës shoqërore. Duke qenë në kontakt direkt me prindërit dhe antarër tjerë të familjes fëmija gradualisht socializohet. Në familje ai mëson se si duhet të sillet brenda dhe jashtë saj. E gjithë kjo ndodh në fëmijërinë e hershme,pastaj në periudhën e pubertetit-adoleshencës,duke vazhduar me periudhën kur individi bëhet person i rritur dhe kalon nëpër procese komplekse të pjekurisë gjatë formësimit të përsonalitetit të tij."

Familja është një koncept i gjerë i cili,përfshinë tërë procesin me anë të të cilit ne zhvillohemi,përmes interaksionit me njerëz të tjerë,mënyra e të menduarit,ndijimit dhe veprimit që janë thelbësore për një pjesmarrje efektive brenda shoqërisë.

Familja është proces i gjatë nga i cili individi në interaksion me antarët e mjedisit social përvetëson shkathtësi,shprehi,qëndrime,norma,vlera dhe njohuri të reja të nevojshme për t'u inkuadruar në grupin shoqëror dhe në jetë.Individi socializohet gjatë gjithë jetës së tij. Socailizimi parësor zhvillohet në familje, në entet parashkollore dhe në shkollën fillore dhe vazhdon gjatë gjithë jetës.
Edukata te fëmijët zë fill nga prirjet natyrore të tij,nevojat dhe zhvillimi spontan. Edukimi merr një domethënie sociale. Ai është një aksion i socializimit dhe moralizimit.
Që familja të plotësojnë detyrën e vet të ndërlikuar për formimin e përsonalitetit,të rëndësishme janë edhe ndryshimet shoqërore. Për ndërtimin e personalitetit është e nevojshme që si familja ashtu edhe shoqëria në tërësi të plotësojnë detyrën përkatëse,ngase ndërtimi komplet mund të formohet vetëm në ndërveprim reciprok të grupit familjar dhe shoqërisë në tërsi.

Qëllimi i hulumtimit dhe objektivat e studimit

Me këtë hulumtim synojmë t'i nxjerrim disa rezultate dhe të konstatohet se sa ndikon roli i familjes në formimin e sjelljeve kulturore të fëmijëve, po ashtu jemi përpjekur të tregojme se sa ndikon roli i familjes në formimin e sjelljeve kulturore të fëmijëve. Ky studim synon të na shërbejë si ndihmesë në ndikimin e familjes në formimin e sjelljeve kulturore të fëmijëve. Kemi pas një komunikim shumë të afërt më nxënsit po ashtu edhe me mësimdhënsit,edhe nga ana e tyre është pritur mirë anketimi jonë në klasën e tyre si dhe bashkëbisedimi jonë më ta ka qenë shumë korrekt i afërt në formë bashkëbisedimi. Para se ta bëjmë anketimin së pari kemi biseduar me to,ju kemi treguar arsyet e hulutimit si dhe ju kemi shpjeguar rëndësin e këtij hulumtimi. Tek ato kemi gjetur një mirëkuptim të mirë dhe hulumtimi është realizuar me sukses.

Objekti i Hulumtimit

Për ta përmbledhë në një mënyrë më përmbledhse objekti i hulumtimit është: Roli i familjes në formimin e sjelljeve kulturore të fëmijve. Meqë problemi i sjelljeve kulturore të fëmijve dhe roli i familjes në formimin e sjelljeve kulturore kohëve të fundit është mjaf aktual, kërkon një qasje bukur afatëgjate të një ekipi profesionistësh, disiplinave të ndryshme, dhe nga pamundësia që ta bëjmë këtë,u përcaktuam që këtë problem ta hulumtojmë dhe ta studiojmë në komunën e Ulqinit pikërishtë në shkollat e qytetit dhe të rrethinës së Ulqinit.
Problemin e rolit të familjes në formimin e sjelljeve kulturore të fëmijve e trajtuam nga të gjitha aspektet, pra edhe në aspektin historik, duke vështruar problemin që nga kohërat më të vjetra e deri më sot. Kështu shfletuam dhe e analizuam tërë materjalin që arritëm ta siguronim, për të parë se ç'është menduar, ç'është shkruar në periudhat e ndryshme të zhvillimit shoqëror, pastaj sesi e kanë trajtuar shkencetarët e profileve të ndryshme këtë problem etj.

Pyetja kërkimore, hipotesa dhe metodologjia e punimit

Pyetja kërkimore e këtij hulumtimi është sa ndikon familja në formimin e sjelljeve kulturore të fëmijve?
Hipoteza-Supozojmë se familja si faktorë i parë edukativë, ndikon dukshëm në formimin e sjelljeve kulturore të fëmijve, si dhe në arsimimin, edukimin dhe formimin e personalitetit shoqëror, me fjalë tjera është shtylla kryesore e formimit të sjelljeve kulturore të fëmijëve.

1.Rëndësia e hulumtimit nisur nga faktet që tema është aktuale dhe e pa hulumtuar deri më sot jemi përcaktuar ta hulumtojmë rrolin e familjes në formimin e sjelljeve kulturore të fëmijve.
2.Instrumentet e hulumtimit
Për ta hulumtuar problemin, kam pregaditur instrumentet për hulumtim. Prej instrumenteve për hulumtim kam përdorur pyetësorë të cilët kanë përmbajtur 6 pyetje, secila pyetje ka pasur 3 e më

shumë përgjigje alternative.Me anë të këtyre pyetësorve kam marrë mendimet e nxënësve dhe mësimdhënsve lidhur me rrolin e familjes në formimin e sjelljeve kulturore të fëmijve. Para se të bëhej hulumtimi ne kemi shkuar, kemi biseduar së pari me to, ju kemi shpjeguar arsyet e këtij hulumtimi, nga ana e tyre kemi pasë një bashkëpunim shumë të mirë dhe frytdhënës. Metoda përmes pyetësorve ishte menduar si metoda më e mirë për të nxjerrë të dhënat e nevojshme për këtë studim.

Detyrat e Hulumtimit

Për ta kryer me sukses hulumtimin dhe për t'ia arritur qëllimit në këtë studim,i kam parashturuar disa detyra.Më poshtë do t'i paraqes disa prej detyrave që është dashur t'i krye gjatë punës hulumtuse:
-Për sa na lejojnë mundësitë objektive, të konsultojmë literaturën e drejtëpërdejtë dhe tërthortë, lidhur me problemin.
-Kemi studiuar aspektin teorik të këtijë problemi.
-Kam bërë anketimin e nxënësve, dhe mësimdhënsve.
-Kam bërë analizën e rezultateve të instrumenteve të hulumtimit.
-Kam krahasuar ato rezultate në mes veti,dmth materiali i nxjerë nga dokumaentacioni pedagogjik është nënshtruar përpunimi statestikor.
-Kam bërë sistematizimin e rezultateve të mbledhura.
-Gjithashtu kam bërë paraqitjen tabelore dhe grafike të rezultateve.
-Më në fund kam bërë interpretimin e rezultateve dhe nxjerrjen e përfundimeve dhe rekomandimeve.
-Nga të gjitha materjalet e grumbulluara do të përpiqemi ti nxjerrim përfundimet e nevojshme.

Popullacioni dhe mostrat

Popullacioni i këtij problemi është i madh dhe heterogjen.Me që këtë problem nuk ka mundësi ta studiojmë në popullacion, por jam përcaktuar ta bëj në një mostër të zgjedhur,posaçarisht me qëllim të hulumtimit të problemit.
Popullacionin e këtij problemi e përbëjnë nxënësit e shkollave në Komunën e Ulqinit. Meqë numri i rasteve individuale të popullacionit është shumë i madhë jam orjentuar që këtë problem ta studiojë vetëm në disa klasë të shkollës dhe me disa mësimdhënës. Numri i nxënësve që ka marrë pjesë në hulumtim ka qenë 270 nxënës ndërsa mësimdhënës kanë qenë 130.

Trajtimi teorik i problemit

Rroli i familjes në formimin e sjelljeve kulturore të fëmijve është një problematikë me të cilën janë marrë e merren teoricientë të fushave të ndryshme. Andaj, që të trajtohet ky problem në nivelin që e meriton,duhet studiuar literaturë nga fusha e edukimit, e drejtësisë, e psikologjisë, pedagogjisë dhe e sociologjisë.
"Mësimi si aktivitet njerëzor,është i lashtë,sa edhe vetë njeriu,si qenie shoqërore. Ai, si veprimtari e organizuar dhe specifike e me rëndësi të madhe shoqërore u paraqit në kohën e formacionit ekonomiko-shoqëror skllavopronar"366.Këtë problematikë fillimisht do ta trajtojm në aspektin teorik. Kjo nënkupton që të ndalemi në pika të shkurta rreth rrolit të familjes në formimin e sjelljeve kulturore të fëmijve. Në kuadër të kësaj, në mënyrë retrospektive dhe të shkurtër do t'i paraqes disa prej periudhave të zhvillimit të edukatës dhe qasjes ndaj rrolit të familjes ne formimin e sjelljeve kulturore të fëmijve. Jo çdo herë fëmija është i trajnuar mirë ashtu si e meriton. Ka pasur periudha kur fëmija, përveç që është privuar nga shumë të drejta që i kanë takuar,ai shumë herë është ndëshkuar edhe fizikisht. Pas kësaj do të ndalem në mënyrë më konkret e rreth temës, ku do te përpiqem t'i paraqes rrolin e familjes në formimin e sjelljeve kulturore të fëmijve. Në kuadër të po të këtij kapitulli do të përpiqem të bëj fjalë edhe për të drejtat e fëmijve në edukim dhe arsim. Në vazhdim do të bëj fjalë për sjelljet e kulturuara të individit (sjelljet e pëlqyera), kodin e sjelljeve të pelqyera, mirësjelljen, marrëdhënjet midis edukatës familjare dhe asaj shoqërore etj.

[366]Dr.Januz, H.Dërvodeli, Dallimet në suksesin e nxënsve të shkollës fillore të regjistruar para kohe, me kohë dhe pas kohe, Prishtinë, 2010, fq.13.

Familja është vatër e çdo njeriut në formimin e sjelljeve kulturore si tek fëmijët ashtu edhe tek të moshuarit, është bartëse e proceseve të pandërpreshme shoqërore, në mirësjelljen e njerëzve si në shoqëri po ashtu edhe në rrethin familjarë dhe gjithkund ku ato gjinden dhe veprojnë. Në doktrinat sociologjike familja merret ndër agjendët më të rëndësishëm të formimit të personalitetit, në të ndikon gjithçka vepruse në formë direkte dhe indirekte. Familja është faktori ku fëmija kalonë pjesën më të madhe të jetës, ku formon, rritë dhe edukon personalitetin. Rasti i parë i mirësjelljes, duhet të ketë qenë atëherë kur individi primitiv që jetonte në shpellë, nuk thirri si i çmendur kur gjeti ushqim,sepse vuri re se aty pranë flinte një grua me një fëmijë në krah. Nuk mundë të dimë mesiguri, sado imagjinatë që të kemi,nëse i kërkoi edhe falje.

Formimi i sjelljeve kulturore

Sjelljet kulturore apo të pëlqyeshme u krijuan në oborret mbretërore dhe u përshtaten nga aristokracia, e vetmja klasë asokohe që mund të vendoste nëse një zakon, normë a rregull duhej përvetësuar detyrimisht nga njerëzit. Me daljen në skenë të Borgjezisë, ato (sjellje kulturore) filluan të përgjithësohen, duke u bërë pastaj në ditët tona, të pranuara. Sjellja kulturore prandaj, parapraktisht nënkupton formimin e bindjes së individit për ta nderuar dhe rrespektuar personalitetin tjetër, dhe se ky gjest është në të vërtetë një gjest human i tij. Zhvillimin dhe formimin e shprehisë së individit për sjellje kulturore ndaj prindërve,ndaj mësimdhënësve, ndaj të moshuarëve,ndaj shokëve dhe të rinjëve, pastaj mirësjellja në familje, në shkollë, në fakultet, në vende publike (në teater, kino, etj) gjatë kohës së punës dhe argëtimit-duhet formuar në vazhdimësi përmes ndikimit të faktorëve edukativ. "Askush nuk është kaq i parëndësishëm sa të mos meritojë një përshendetje. Ludvigu i XIV përshendeste edhe gjellëbërsen me dashamirësi"367.

Sjelljet kulturore duhet të aplikohen edhe në Kuzhinë, pastaj për të kërkuar leje nga familja, shkolla, pastaj duhet formohet shprehia për trokitje në derë para se të hyhet brenda, pastaj nuk duhet të hapen letrat postare dhe dokumentacionet e tjerëve. Gjithashtu duhet të formohet shprehia për ecje kulturore, të mos bëhemi zhurmaxhi, të mos përdoren fjalë të ndyta, të mos shfrytëzohen gjuha e rrugës,të mos ofendohen dhe fyhen të tjeret, etj. Ka rëndësi edhe formimi i shprehisë për pedantëri në veshmbathje dhe kudo tjetër. Gjithashtu ka rëndësi formimi i shprehisë kulturore për të folur bukur, rrjedhshëm, drejt e pa gabime, pastaj biseda nuk duhet të zhvillohen me një tonë tepër të lartë apo shumë të ultë. Ka rëndësi gjithashtu prezantimi (paraqitja) e individit në mënyrë kultuorore, mandej përshendetja duhet të jetë vërtetë përshendetje, e jo njëfarë përshëndetje sa për sy e faqe, që nuk përkon apo që bie ndesh me normat morale të sjelljes njërzore. Kështu aspak nuk i ka hije njeriut (nxënësit, studentit, profesorit, etj.) të përshendes me duar në xhepa, me cigare në gojë, të përshendes me kokë të këthyer anash, etj. Kuptohet mirësjelljet kulturore nuk duhet të ushtërohen vetëm në familje, po edhe në rrugë, në kumunikacion e kudo tjetër. Po ashtu duhet krijuar shprehinë për sjellje kulturore tek të rit sidomos, po edhe te të tjeret, që të mos e pengojnë palen tjetër gjatë bisedës, sepse edhe biseda e ka një rend. Të përdoren në përditshmëri shprehitë: Ju lutem, urdhëroni, na falni, iu bëftë mirë dreka, iu dëshiroi punë të suksesshme, kalim të këndëshëm, gjitha të mirat etj.

Kodi i sjelljeve të pëlqyera sot

Nuk është psikologjia e para që trajton problemin e rëndësishëm veçanarishtë për një shoqëri në tranzicion,të sjelljes së kulturuar. Nga pikëpamja e sjelljes së kulturuar,përqafimi dhe puthja nuk janë të lejushme në publik. Një film i famshëm titullohej "Në këtë botë, të dashuruarit janë vetëm". Fatkeqsisht, kjo gjë nuk është e vertetë. Megjithëse ndodh që ata të ndihen vetëm, bota është e pranishme përreth tyre, kurreshtare, ironike, me thashetheme. Them "fatkeqsisht" sepse një botë vetëm me të dashuruar do të kishte qenë shumë e bukur! "Intriga të zëshë në gojë për keq ata që nuk janë të pranishëm tregojnë se je njeri pa karakter. Dhe është një lojë mjaftë e rrezikshme, pa informata arrin shumë në veshin e personit të përgojuar. Nëse e njeh këtë vertetë dhe përgojon,tregon edhe se nuk je aspak i zgjuar... Të mos e shqetësojmë kurrë tjetrin duke i treguar gjëra të papëlqyeshme"368.

[367]Prof. Dr. Kozma Grillo, Kodi i sjelljeve të pelqyera sot, Tiranë, 2004, fq.161
[368]Dr. Veljo Korac, Historia e doktrinaveshoqërore e politike, Sarajevë,1967, fq. 171

Problemet vetjake... Edhe sikur t'ju luten, mos u përzini në grindjet e prindërve me fëmijët e tyre, të një çifti të të dashuruarve ose të miqve. Ata do të pajtohen, kurse ju do të mbeteni fajtor. Secili për hesapin e vet të drejtë dhe këto janë problemet e tyre. Anonimati dhe sjelljet e kulturuara... As në familje e as në rrethin e të afërmve tanë gabimet nuk na i fal kush. Thënë troç, shoqëria i mënjanon njërzit e paedukuar."369

Moshat e reja,edukata dhe sjellja e kulturuar

Në shoqërinë shqiptare rritet dhe edukohet një rini e shëndetëshme në të gjitha rrafshet.Jo vetëm politikisht e ideologjikisht,por edhe etnikisht, për nga shija,edukata sjellja.
Mirëpo ende vërehen sjellje të pahijshme të fëmijve e të të rinjve.Kuptohet,ato janë një pasqyrim i drejtpërdrejtë i edukatës qytetare të të rriturve,jo vetëm i karakteristikave pozitive,por edhe i mangësive të saj.Disa herë,sidomos në biseda të lira,midis prindërve,mësuesve,përgjithësisht të rriturve,madje edhe të atyre që mendojnë se flasin e gjykojnë me përgjegjësi ka çarje e ankime veçanërisht për sjelljen dhe edukatën e rinisë.

"Është tepër e qartë se ka një rëndësi të dorës së parë që të gjitha normat e edukatës sonë qytetare të spikatin në sjelljen e kulturuar të fëmijve e të të rinjve,që ata të dinë të sillen bukur,të rrespektojnë rendin publik,rregullat e bashkëjetesës me të mëdhenjtë në moshë etj.Por në këtë mes luajnë rrol edhe karakateristikat moshore psikologjike,njohja e tyre nga të rriturit,zhvillimi i punës edukative në përshtatje me këto karakterisitika.Vjen një ditë dhe ikën fëmijëria,me bukurinë dhe gjallërinë e saj,me dinamizmin dhe karakteristikat.Shfaqen paraadoleshenca dhe adoleshenca,siç u thojnë ndryshe,mituria,mosha e parë kalimtare në jëtë,që konsiderohet edhe një farë moshë kritike,kur problemi që sapo shtruam,bëhet edhe më i mprehtë.Si rregull,ajo kap fëmijët 11-12 vjeçarë gjer në 15-16 vjeçarë"370. Prandaj quhet edhe mosha e mesme shkollore dhe zakonisht,përkon me ciklin e shkollimit të mesëm të lartë. Fëmijët e kësaj moshe ruajnë shumë karakteristika të moshës paraardhëse,fëmijërore,por tek ata shfaqen edhe dukuri të reja.Në rradhë të parë, ata fillojnë të mos e ndienë veten fëmijë dhe në mënyrë të veçantë,nuk duan që të rriturit,sidomos të afërmit,e veçanarishtë prindërit e mësuesit t'i trajtojnë si të tillë.Fillon t'u duket vetja "të rriturr".Shfaqet prirja e hershme për një afirmim sa më të plotë të personalitetit të tyre,për më shumë pavarësi.

Si u shfaqen sjelljet e mira, të pëlqyera

Që në fillim të ekzistencës së vet shoqërore,njerëzimi ndjeu nevojën e përcaktimit të disa rregullave që duhej të rrespektoheshin nga të gjithë anëtarët e një bashkësie,në mënytë që jetesa e përbashkët të ishte sa më e pranushme.Në mënyrë paradoksale,këto rregulla të kodifikuara dhe të përvetsishme nuk kufizonin lirinë e individit,por përkundrazi e zgjeronin.Duke ditur me saktësi se si duhej të sillej në të gjitha rastet,në jetën e përditshme,njeriu i edukuar e ndjeu veten më të sigurt,shpëtonte nga komplekset,pranohej dhe respektohej nga të gjithë me një fjalë e ndien vetën më të lirë."Sjelljet e pëlqyshme u krijuan në oborret mbretërore dhe u përshtaten nga aristokracia,e vetmja klasë asokohe që mund të vendoste nëse një zakon i caktuar duhej përvetësuar detyrimisht nga njerëzit.Për këtë arsye,gjatë shekujve XV dhe XVI sjelljet e pëlqyshme ose të mira përfaqësonin një stil të veçantë jetese.Krahas me daljen në skenë të borgjezisë,ato filluan të përgjithësoheshin,duke u bërë në ditët tona të pranuara"371.Por ndërsa shoqëria zhvillohet,disa prej tyre mbeten anakronike,ashtu siç ndodhë që disa të tjera ndryshojnë nga një shtet në tjetrin.Sikundër dihet,për të hyrë në kodin e sjelljeve të pëlqyshme,një zakon duhet të përballojë provën e kohës,dhe kjo ndodhë për arsye se jeta shoqërore pëson ndryshime. Mjaft zakone,prej shumë vjetësh,nuk kanë më asnjë lidhje me ngjarje që i kanë krijuar. Vallë,kush mendon sot se heqia e kapelës për të përshendetur dikë e ka zanafillën në zakonin e kalorësve,të cilët,pas mbarimit të një gare e zbulonin fytyrën që të njiheshin nga publiku. Psh.në Francë,sallata në mënyrë tradiconale shërbehet pas pijatës kryesore dhe hahet vetëm me pirun dhe me thikë. Në Itali pihet "kapuçino"vetëm në mengjes.Në Gjermani psh nuk puthet dora e grave

[369]Prof. Dr. Kozma Grillo „Kodi i sjelljeve të pëlqyera sot", Tiranë, 2004, fq.162
[370]Dr.HamitBeqaj,Rrjedhat e historisësëedukatësdhetëkulturës,Tiranë ,1983,fq,55.
[371]AurelaMarinesku,Kodi i sjelljevetëpëlqyera sot,Tiranë,2002.

por është forcuar zakoni që njerëzit të jenë të përpiktë,zakon ky që duhet zbatuar me çdo kusht. Në Kanada si edhe në shtete të tjera ekziston zakoni për të dhuruar lule në numër çift.

Arti i bashkëbisedimit dhe sjellja në shoqëri

Rreziku më i madhë që kërcënon çdo tubim,si rreth tryezës familjare,ashtu edhe në takimin ose pritjen më solemne,është mërzija.Mjeti më i sigurt kundër saj është bashkëbisedimi.Nuk mund të zotroshë mënjëherë sekretin me të cilin zhduk mërzitjen,dhe të del përpara një tjetër pengesë,duke u përpjekur që të zhdukësh mërzitjen,ka rrezik që të bëhesh i padashur,qesharak.Prandaj në këto raste duhet të kesh takt,të jesh i vëmendshëm,të jesh një tip i gjallë,të kesh humor,kulturë,sjellje të pëlqyeshme dhe mbi të gjitha të jesh i sinqertë.Shpeshherë në jetën e përditshme edhe në këtë fushë paraqiten dy qëndrime të gabuara.”Disa janë shumë të sigurt në vetvete,fillojnë të flasin pa pushim,këpusin të njoma dhe të thata,duke mos i lejuar të tjerët të flasin edhe ata,të marrin pjesë,pra në atë diskutim.Disa të tjerë qëndërojnë në skajin tjetër,këta nuk flasin,pasi kanë frikë të tmerrshme se mos gabojnë,ndaj nuk shfaqin asnjë mendim,por belbëzojnë vazhdimisht vetëm.”372.
Arti i bashkëbisedimit nuk mësohet si formulat matematikore,ai fitohet,pak a shumë,si një gjuhë e huaj,duke respektuar disa rregulla dhe duke u ushtruar vazhdimisht.Asnjë bisedë e përgjithshme ndërmjet dhjetë a dymbëdhjet personash nuk mund të zgjatet pa mbarim.Prandaj një zot shtëpie duhet t’i grupojë të ftuarit sipas disa kritereve të caktuar.Por rreth kësaj çështje duhet të mendohemi që në çastin kur i ftojmë miqët.Duhet të kemi parasyshë se takimet në grup do të kenë më shumë suksese,do të jenë ato kur të ftuarit janë të një profesioni ose kanë të njëjtat dëshira dhe pasione.Në rast se kemi mjekë të ftuar ata do të bisedonin rreth problemeve me interes të përbashkët dmth.mjekësore.Gjithashtu,po të ftojmë vetëm pedagogë biseda e tyre do të vërehet vetëm rreth problemeve didaktike etj.

Sjellja e fëmijve dhe rroli i mësuesit,qëndrime të ndryshme për këtë problem

Çdo fëmijë ka një mënyrë sjellje që përmban në vetvete elementë pozitivë dhe negativë. Çdo fëmijë dëshiron dhe ka nevojë për një mënyrë të sjellur pozitive,pa të cilën ata ndjehen të pasigurt dhe të pafatë të krijojnë lidhje të drejta me të tjerët,bëjnë interpretime jo të qarta për mënyrën e sjelljes së tyre,etj.
Po t’i lesh në dorë fëmijës të flasë për kuptimin e jetës,të vendosë për punën në grup,të vendosë për pavarsinë e tij në zhvillimin e aftësive për bashkëpunim më të tjerët,fëmijët bëjnë gabime dhe shpesh arrijnë në përfundim se janë të pafatë dhe të lënë mënjëanë nga të rriturit.
Mësueset kanë detyrën dhe përgjegjësinë të udhëheqin sjelljen e fëmijve,ta pasurojnë atë me elementë pozitivë dhe ta lehtësojë nga elementët negativë,t’i aftësojë ata të kontrrollojnë vetveten dhe të vlersojnë mënyrën e sjelljes së tyre373.Mësueset duhet të qartësohen dhe të aftësohen në përdorimin e teknikave të ndryshme për të realizuar një mënyrë sjellje efikase të fëmijve.

Modifikimi i sjelljes

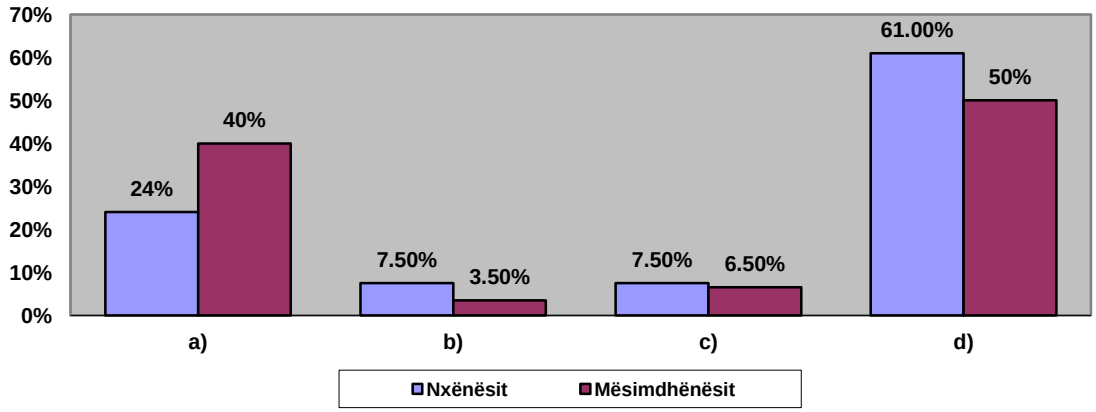
Nga literatura pedagogjike dimë që çdo sjellje ka qenë rezultative,e pranushme nga shoqëria ndërsa,sjelljet të cilat shoqërohen nga një pasojë e pakëndëshme ka të ngjarë të mos përseritet.Në këtë parim të vjetër të edukimit të sjelljes gjenden rrënjët e teknikës së modifikimit të sjelljes.Ndjekja e këtij parimi do të thotë se mësusja mund të shpërblejë ata fëmijë që kryejnë porositë e saj.P.sh. ata të cilët rrinë urtë dhe bashkëpunojnë me mësusen mund të marrin ndonjë shpërblim të veçantë,të tjerët të cilët ngrejnë dorën përpara se të flasin shpërblejnë me diçka tjetër,etj.Teoria e modifikimit të sjelljes shërben për të udhëhequr edukimin e sjelljeve të fëmijve dhe funksionon mirë kur dihen të përdoren teknikat e saj.Është mënyrë efikase për të modifikuar sjellejn e fëmijeve,por është me rëndësi të kuptohen parimet e saj.Nëse nuk kuptohen parimet dhe nuk përvetsohen tërësisht teknikat e përdorimit të teorisë së modifikimit të sjelljes së fëmijve mund të gabohet duke përforcuar sjellje të cilat nuk janë të dëshirushme.

[372] Aurelia Marinesku,Kodi i sjelljevetëpëlqyshme sot,Omsca,Tiranë,2002,fq 68.
[373]FatmirVadahi,Pedagogjia Parashkollore,fq.60.

Analizë, interpretimi të dhënash

Hulumtimi është organizuar dhe kryer në shkollat ”në komunën e Ulqinit. Këtu kam marrë opinionet nga mësimëdhënsit dhe nga nxënësit lidhur me rrolin që ka familja në formimin e sjelljeve kulturore të fëmijëve.
Për të qenë rezultatet sa më të qarta,ato i kemi paraqitur në mënyrë grafike. Rezultatet e fituara i kemi paraqitur dhe sqaruar përmes skemave grafike të shtyllave,duke dhënë sqarime plotësuse për secilën skemë grafike.Për hulumtim kemi anketuar 270 nxënës dhe 130 mësimdhënës të shkollave fillore (nga klasa e parë deri në klasë të nëntë). Gjatë këtij hulumtimi kam pasë nji përkrahje shumë të madhe nga ana e mësimdhënësve po ashtu edhe nga stafi administrativ i shkollës ku më kanë dhënë një përkrahje jashtëzakonisht të madhe,dhe prandaj unë jam shumë falenderues për ndihmën që më kanë dhënë. Pytjet në pyetësor janë të tipit të mbyllur dmth secila pyetje ka pasur minimum 3 a ma shumë përgjegje alternative gjë që është kërkuar të rrumbullaksohet një a ma shume përgjegje. Pyetjet kanë qenë shumë të qarta dhe në formë rrumbullaksuese. Nxënëist janë përgjigjur në mënyrë individuale po ashtu edhe mësimdhënsit janë përgjigjur individualisht dhe kanë dhënë mendimin e tyre personal.
Me anë të ngjyrës së kaltërt kam paraqitur rezultatet e nxënsves ndërsa me ngjyrë të kyqe janë të paraqitur rezultatet e mësimdhënësve.

Grafiku nr. 1: Sipas mendimit tuaj,çka ndikon më së shumti familja në fëmijë:

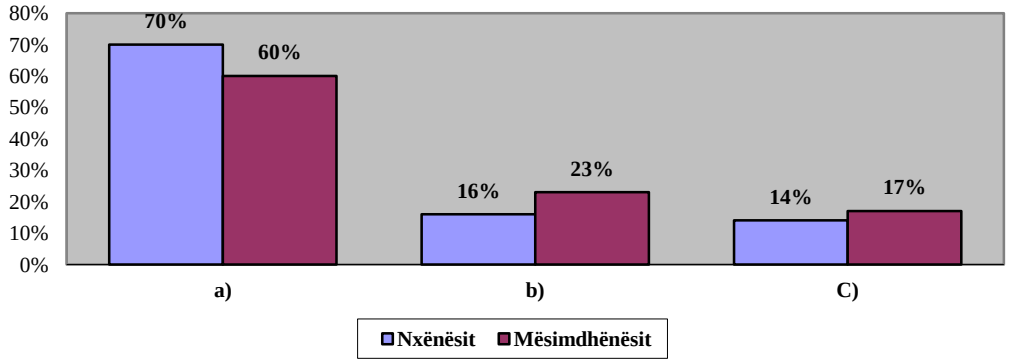


a) në zhvillimin psiko-shëndetësor
b) në veshmbathje dhe edukim
c) në shprehi për punë
d) në sjellje dhe mirësjelljen e tyre

Në pyetjen e pare ka pasur 4 përgjegje alternative pytja ka qenë: Sipas mendimit tuaj, çka ndikon më së shumti familja në fëmijët?

Nga 270 nxënës të anketuar 24% shprehen se familja ndikon në zhvillimin psiko-shëndetësor, përkundër tek mësimdhësit janë nga 130 të anketuar del që 40% e tyre mendojnë në zhvillimin psiko-shëndetësor, në përgjegjen e dytë 7,5% e nxënësve deklarohen se familja ndikon në veshmbathje dhe edukim ndërsa mësimdhënsit 3,5%,kurse në përgjegjen e tretë, në shprehi dhe punë janë përgjegjur 7,5% ndërsa mësimdhënsit 6,5%,në pyetjen e katërt,në sjellje dhe mirësjelljen e tyre 61% e nxënsve kanë dhënë këtë përgjegje kurse 50% e mësimdhënsve kanë dhënë këtë përgjegje.Siç tek nxënësit poashtu edhe tek mësimdhënsit del se familja ndikon më së shumti në sjelljen dhe mirësjelljen e tyre.

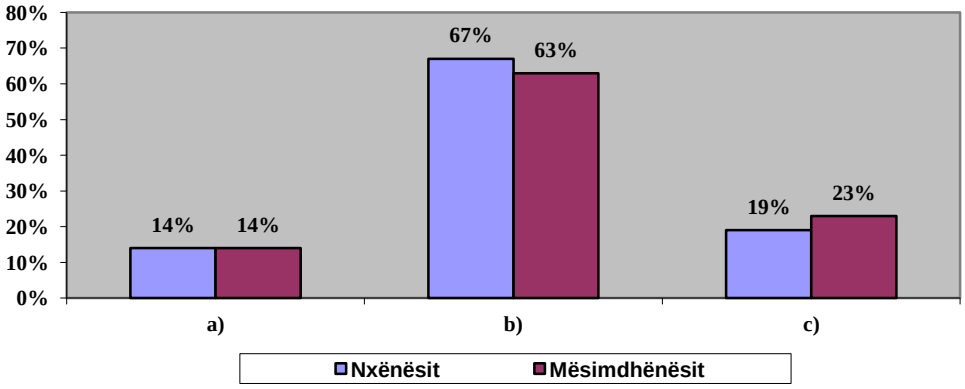
Grafiku nr. 2:Cilat familje ndikon më së shumti në formimin e sjelljeve ndaj fëmijës:



a) ajo që ka një arsimim pedagogjik
b) ajo që mbretëron një atmosfere autoritare
c) ajo që i mungon kujdesi ndaj fëmijëve

Në pyetjen e dytë të parashturar secila familje ndikon më së shumti në forcimin e sjelljeve ndaj fëmijës, nga nxënësit e anketuar del se 70% e tyre mendojnë në përgjegjen e parë,16% mendojnë në përgjegjen e dytë, ndërsa 14% deklarohen për përgjegjen e tretë. Ngjajshëm kemi pothuaj edhe rezultatin tek mësimdhënsit ato në përgjegjen e pare deklarohen 60% e tyre në përgjegjen e dytë 23% ndërsa në përgjegjen e tretë deklarohen rreth 17% e tyre.Nga kjo pytje mund të themi se në formimin e sjelljeve ndaj fëmijve ndikon ajo familje që ka një arsimim pedagogjik dhe që ndërton një edukate të mirëfillët intelektuale.

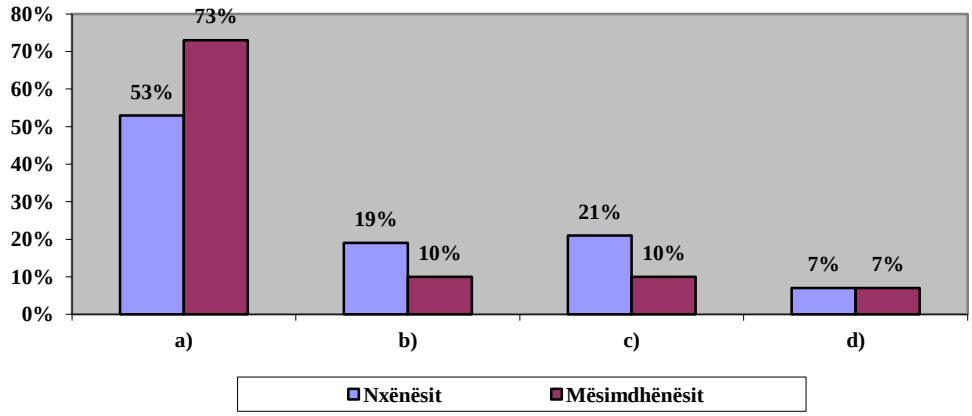
Grafiku nr. 3:.Ku tregojnë më së shumti mirësjellje fëmijët:



a) në familje
b) në shkollë
c) në rrethin ku jetojnë ata

Në pytjen e tretë me rradhe se ku tregojnë fëmijët më së shumti mirësjellje kemi këto rezultate ku tregojnë se 14% e fëmijëve mendojnë në familje,67% mendojnë në shkollë dhe 19% mendojnë në rrethin ku jetojnë,ndërsa mësimdhënsit tregojnë këtë rezultat në pytjen e parë deklarohen 14% në pytjen e dytë 63% ndërsa në të tretën 23%.Si nxënësit po ashtu edhe mësimdhënsit mendojnë se fëmija më së shumti mirësjellje tregon në shkollë.

Grafiku nr. 4: Sipas mendimit tuaj,cilët faktorë edukativ i çmojnë dhe vlerësoj në sjelljet dhe mirësjelljet kulturore:

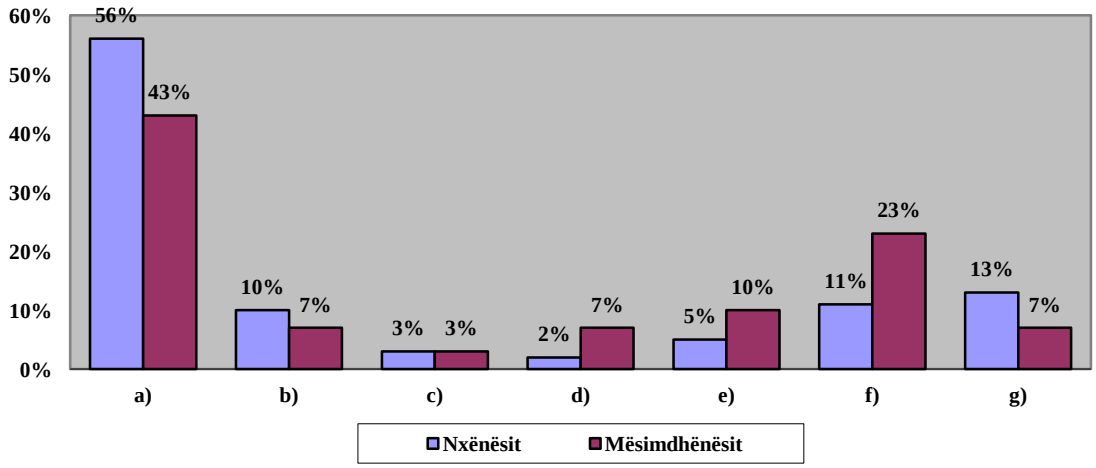


a) mësimdhënësit
b) prindërit
c) rrethi shoqëror
d) mjetet e informimit

Në pytjen e katërt,sipas mendimit tuaj,cilët faktorë edukativë i çmojnë dhe vlerësojnë sjelljet dhe mirësjelljet kulturore:Në përgjegjen e pare deklarohen 53% në të dytën 19% dhe në të tretën 21% ndërsa në të katërtën 7%.Tek mësimdhënësit kemi këto rezultate në përgjegjen e parë janë deklaruar 73% në të dytën 10% po ashtu edhe në të tretën 10% ndërsa në përgjegjen e katërt 7%.Nga ky rezultat mund të konkludojmë se mësimdhënësit janë faktorë edukativ të cilët i çmojnë dhe vlersojnë sjelljet dhe mirësjelljet kulturore.

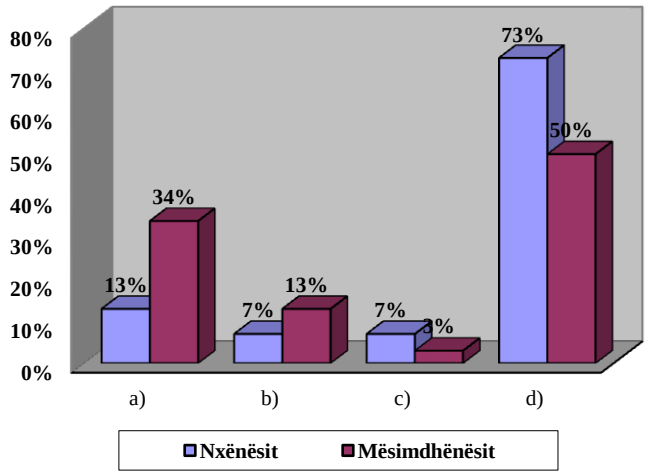
Grafiku nr.5: Çka përfitojnë fëmijët nga përdorimi i sjelljeve kulturore:

a) rrespektin
b) dashurinë
c) falënderimin
d) buzëqeshjen
e) mirësjelljen
f) gëzimin
g) motivimin



Në pytjen se çka përfitojnë fëmijët nga përdorimi i sjelljeve kulturore kemi këto rezultate: në përgjegjen e pare janë deklaruar 56% në të dytën 10% në të tretën 3% në të katërtën 2% në të pestën 5% në të gjashtën 11% dhe në të shtatën 13%.Tek mësimdhënësit kemi këto rezultate përgjegjen e parë 43%, të dytën 7%, të tretën 3%, të katërtën 7%, të pestën 10%, të gjashtën 23%, dhe të shtatën 7%. Nga rezultatet që kemi nxjerrë del se fëmijët më së shumti përfitojnë respektin.

Grafiku nr.6: Çfarë është mendimi juaj,se ku i formon më së shumti fëmija sjelljet kulturore:



a) në familje
b) në shkollë
c) në rrethin shoqëror
d) në familje dhe shkollë

Në pytjen e gjashtë kemi këto rezultate.Në përgjegjen e parë janë deklaruar 13% në të dytën 7% në të tretën po ashtu 7% dhe në të katërtën 73%. Tek mësimdhënësit kemi këto rezultate në përgjegjen e parë 34% në të dytën 13% në të tretën 3% dhe në të katërtën 50%.Nga rezultatet që kemi nxjerre del se fëmija i formonë më së shumti sjelljet kulturore në shkollë dhe në famlije.

Përfundime dhe Rekomandime

Familja është shtylla kryesore ku fëmia formon,përvetëson,aftëson sjelljet e qytetëruara në jetën e përditshme.Familja është ajo që në të mëson sjellje të pëlqyera,psh.të dishë dhe të rrespektosh ma të vjetërin,të vishësh në mënyrë korrekte në çdo rrethanë të bisedosh lirshëm me një rreth të caktuar shoqëror që frekuenton,të jeshë në gjendje të përballosh situata nga më të ndërlikuarat në takimin më të sofistikuar ose psh,në restorane si të sillesh në bare në kafene etj. Rroli i familjes është shumë shumë i madhë në formimin e sjelljeve kulturore.Lirisht mund të themi që familja ndikon shumë në sjelljet dhe mirësjelljet e fëmijëve,ndikon shumë në arsimimin pedagogjik,fëmija tregonë mirësjellje të mirë në procesin arsimor në shkollë. Po ashtu edhe fëmijët me sjelle kulturore përfitojnë shumë në respekt,në dashuri,në falenderim,në buzëqeshje,në mirësjellje,në gëzim,në motivim etj.Por vlen të theksohet që një grup i fëmijëve nuk i përdorin sjelljet kulturore të tyre fatkeqësisht sa duhet. Dihet mirë se fëmijët më së lehti i fitojnë sjelljet e kulturuara në moshën e fëmirisë pra dmth sa është në gjirin familjarë. Familja është ajo ku fëmija fiton sjelljet e kulturuar,është faktori vendimtarë që fëmija ndikon tek përvetësimi i sjelljeve kulturore personale dhe shoqërore të individit,është faktori i parë i edukimit të fëmijës. Institucioni familje nuk mund ta kufizojë veprimtarinë tij vetëm në formulimin e identitetit të fëmijës, ai duhet të bashkëpunojë ngusht me pedagogun dhe psikologun e shkollës për marvajtjen e edukimit gjatë procesit shkollorë.

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MARSELA SAKO - DIMENSIONE TË METODËS SË ZGJIDHJES SË PROBLEMIT

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Abstrakt

Në bibliografinë botërore rreth teorisë së zgjidhjes së konflikteve dominojnë dy tendenca kryesore, përkatësisht ajo që thekson dimensionin objektiv dhe ajo që përqëndrohet kryesisht në anën subjektive të konflikteve. Ndryshimi midis qasjes që i mëshon më shumë natyrës objektive të konflikteve, shprehje e së cilës është Realizmi (Morgenthau, Bull, Scharzenberg) dhe qasjes që i mëshon më shumë natyrës subjektive të konflikteve, që përfaqësohet nga Pluralizmi (Burton, Kelman), konsiderohet gjithashtu edhe një ndryshim shkencor në hapësirën e shkencave sociale. Në funksion të sa më sipër, vlen të theksohet se qëllimi i këtij punimi është eksplorimi i "metodës së zgjidhjes së problemit", shprehje e dimensionit subjektiv, që konsiderohet si një ndër metodat më të rëndësishme në funksion të menaxhimit dhe zgjidhjes së situatave të ndryshme konfliktuale.

Fjalë kyçe: perceptim, dimension subjektiv, zgjidhje konflikti, ndërmjetësim, bashkëbisedim

Hyrje

Disiplina e "Zgjidhjes së Konflikteve" i ka fillesat e saj në vitet 1950-1960, në një periudhë që shënon edhe kulminacionin e Luftës së Ftohtë. Rreziku që po i kanosej njerëzimit pikërisht në periudhën e zhvillimit të armëve bërthamore dhe konflikteve të vazhdueshme midis superfuqive, shërbeu si nxitje për studiues nga disiplina të ndryshme, të cilët arritën të perceptonin si të një rëndësie të veçantë studimin e konflikteve, duke e konsideruar atë si një fenomen të përgjithshëm.
Fundi i Luftës së Ftohtë i gjeti një numër të madh studiuesish, të paqartë për të kuptuar, pse realiteti i ri ndërkombëtar nuk ishte një vend i paqshëm. "Rendi i Ri Botëror" nuk paraqitej sikundër ishte parashikuar. Përveç kësaj studimet e konflikteve filluan të merreshin me analizimin e një kategorie të re konfliktesh që ishin "konfliktet e brendshme etnike", të njohura ndryshe si luftra të llojit të tretë. Kur filloi të bëhej e qartë se këto konflikte që ishin në thelb identitare nuk lidheshin në mënyrë rigoroze me etnicitetin, atëherë filluan të bëheshin edhe klasifikime të tjera të tilla si: konflikte "etnopolitike", "konflikte sociale të zgjatura në kohë", dhe së fundmi emërtimi më përdorur "konflikte me bazë identiteti" (Rotham, J., Olson, Marie L 2001: 290).
Vlen të nënvizohet fakti se, disiplina e "Zgjidhjes së Konflikteve" kishte si veçori të sajën kundërshtimin e disiplinave të tjera në lidhje me qëndrimet e tyre kundrejt konflikteve.
Në këtë kontekst duhet theksuar se, studimet për zgjidhjen e konflikteve më tepër kanë evoluar si një formë kritike, veçanërisht ndaj qasjes realiste dhe konkretisht ndaj mënyrës sesi analizohej prej saj realiteti ndërkomëtar. Sipas këndvështimit realist,"Zgjidhja e Konflikteve" konsideroohej jo reale dhe një trajtim i butë i një realiteti në të cilin "dëshira për të dominuar… përbën një element thelbësor të bashkësisë njerëzore" dhe ku, "aspiratat e njeriut për pushtet nuk janë kurresesi një aksident i historisë, apo një devijim i përkohshëm nga një shtet i lire, por përkundrazi janë karakteristikat kryesore të natyrës njerëzore" (Donnelly, J, 2000: 47-48). Hobbes ishte ndër të parët që arriti në konkluzionin se gjendja natyrore e njeriut konsiderohet situata e luftës. Në këtë kontekts vlen të theksohet se, sipas realistëve konfliktet shkaktohen si rezultat i antagonizmit të vazhdueshëm të shteteve për të vendosur kontrollin mbi burimet të caktuara natyrore (A.B.Fetherson, 2000: 7).
Sipas kësaj perspektive, konfliktet konsiderohen totalisht të një natyre objektive, duke përjashtuar në këtë mënyrë rolin e dimensionit subjektiv. Arsyet objektive sipas të cilave i konsideron realizmi konfliktet janë në përputhshmëri të plotë dhe me strategjitë e zgjidhjes që aplikohen prej tij, të cilat

synojnë gjithmonë drejt zgjidhjeve të shumës zero (zero-sum, njeri fiton-tjetri humbet), duke u fokusuar në mënyrë eksluzive në papajtueshmërinë e interesave. Në këtë pikë të trajtimit vlen të nënvizohet fakti se disiplina e "Zgjidhjes së Konflikteve" e sfidon realizmin në shumë plane.

Metoda e "Zgjidhjes së Problemit"

John Burton mbetet një ndër përfaqësuesit më të rëndësishëm të teorisë së zgjidhjes së konflikteve si dhe një ndër oponentët kryesorë të realizmit dhe të "Power Politics" në përgjithësi (Griffiths, M., 2001: 90). Metodat jo tradicionale të zgjidhjes së konflikteve - jo tradicionale si për nga natyra apo roli i palës së tretë, ashtu edhe për nga mënyra e zhvillimit të bashkëbisedimeve ndërmjet palëve konfliktuale - u zhvilluan teorikisht nga John Burton në Universitetin e Londës, i cili konsiderohet edhe pionieri i themelimit të saj, si edhe nga Herbert Kelman profesor në Universitetin e Harvardit. Ndër autorët më të vonshëm, por po aq të rëndësishëm, të kësaj teorie, mund të përmendim midis të tjerëve edhe Edëard Azar nga Universiteti i Maryland, C.R. Mitchell dhe Dennis J.D. Sandole (në bashkëpunim me John Ë. Burton) nga Universiteti i George Mason, nga A.J.R. Groom në Universitetin Kent dhe nga Roland J.Fisher nga Universiteti i Harvardit (Ηρακλειδις, Α., Κωστακος, Γ., Φραχκολοπουλος, Χ 1994: 97).

E njohur ndryshe si qasja e "konflikteve subjektive", kjo metodë është e lidhur ngushtësisht me John Burton, që me të drejtë mund të konsiderohet edhe si themeluesi i dimensionit psikologjik të politikës së jashtme (teoria e perceptimeve, ikonave-stereotipeve) (Ηρακλειδις, Α., Κωστακος, Γ., Φραχκολοπουλος, Χ 1994: 98).

Zgjidhja e problemit (problem – solving), është një metodw që synon të transformojë çdo lloj situate konfliktuale të shumës zero, në një situatë të shumës jo zero (positive – sum).

Përsa kohë që shtetet vënë në përdorim mjete që shpesh i përjetësojnë konfliktet, Burton argumenton se zgjidhja e konflikteve si në nivele ndërshtetërore, ashtu edhe në nivele të brendshme shtetërore, nuk duhet të lihet vetëm në dorën e palëve të përfshira në konflikt.

Ai përkrah idenë e ndërmjetësimit të palëve të treta që mund ta asistojnë procesin. Karakteristikat kryesore te kesaj metode janë dy. Së pari pala e trete nuk ndërhyn energjikisht duke ofruar zgjidhje si ndërhyrësi klasik, por thjesht lehteson zhvillimin e dialogut duke ofruar sqarime të ndryshme, ose duke dhënë shpjegime shkencore dhe teknike në lidhje me mosmarreveshjet në përgjithësi, apo duke u bazuar në ngjarje të vërtetuara. Pala e tretë nuk paraqet ndonje zgjidhje konkrete, roli i saj është të ndihmojë për fillimin e bisedimeve dhe të nxisi palet për arritjen e një marrëveshjeje të suksesshme midis tyre.

Megjithëse mbetet pak e praktikuar nga dipllomatët, kjo metodë ka pasur një shtrirje të gjerë tek studiuesit të cilët janë angazhuar drejpërsëdrejti me ndërmjetësimin e palëve të përfshira në konflikte. Situatat konfliktuale, që kanë pasur edhe aplikimet më të shpeshta të kësaj metode lidhen me çështjen Qipriote, Irlandën e Veriut, Lindjen e Mesme, Indi- Pakistan, Afrikë, Sri Lanka, SHBA, në ish Bashkimin Sovjetik etj. (Rotham, J., Marie L. Olson, 2001: 299).

Sipas Burton dhe autorëve të tjerë, që konfliktet e dhunshme të zgjidhen duhet të përmbushen të paktën 3 nevojat më të rëndësishme që lidhen me: identitetin, sigurinë dhe mundësinë e zhvillimit (A.B.Fetherson, 2000: 7). Studiuesi Burton i qëndron fort idesë se "mospërmbushja e nevojave" mbetet arsyeja kryesore për ekzistencën e konflikteve të dhunshme në shoqërinë njerëzore (Griffiths., M, 2001: 92). Ai argumenton se kur institucionet dhe normat shoqërore janë të papajtueshme me nevojat e qënësishme njerëzore, atëherë rezultati do të jetë shfaqja e agresivitetit dhe konflikteve. Argumenti lidhet me faktin se agresiviteti dhe sjelljet anti – sociale, stimulohen nga kushte të caktuara shoqërore.

Burton argumenton se qeveritë duhet të reflektojnë vlerat dhe të përmbushin nevojat dhe kërkesat e qytetarëve të tyre, në mënyrë që të jenë sa më legjitime. Përsa kohë që ekzistojnë dallime midis interesave sistemike nga njëra anë dhe qëllimeve dhe vlerave që përfaqësojnë autoritetet nga ana tjetër atëherë flasim për një .."nivel të reduktuar të legjitimitetit social" (Griffiths., M, 2001: 111).

Nevojat njerëzore të cilat janë frustuar nga institucionet do të duhet që në një mënyrë apo tjetër të përmbushen. Individët duhet të jenë të pregatitur që të shkojnë deri aty, sa të mund të sfidojnë sistemet në mënyrë që të përmbushin kërkesat e tyre që lidhen me nevoja thelbësore (Dennis J.D Sandole, 2006: 560).

Nga pikëpamja teorike ekziston një propozim i thjeshtë, se në rastet kur nevoja të caktuara nuk janë përmbushur në nivele të kënaqshme, atëherë do të ketë konflikt. Konflikti do të jetë i një natyre të tillë që çdo përpjekje për ta shtypur konfliktin në fakt, do të shërbejë për përshkallëzimin e mëtejshëm të tij (Dennis J.D Sandole,2006: 560).
Shumë studiues të Zgjidhjes së Konflikteve, argumentojnë se konfliktet në vetvete përbëhen nga një anë ondologjike të bazuar në nevojat njerëzore, mohimi apo refuzimi i të cilave shkakton konfliktet e dhunshme. Kjo mënyrë e të perceptuarit konsideron si burime objektive të konflikteve nevojat dhe jo interesat (A.B.Fetherson, 2000: 2).
Për sa kohë që konfiktet e dhunshme kanë gjithmonë arsye objektive ato kanë gjithmonë edhe arsye subjektive. Konfliktet ashtu si çdo lloj veprimtarie apo nisme në fushën politike, si në nivel kombëtar ashtu edhe ndërkombëtar, përcaktohen në pjesën më të madhe nga mënyra sesi ne i kuptojmë ato. Realiteti kombëtar dhe ai ndërkombëtar perceptohet në mënyra të ndryshme nga aktorë të ndryshëm edhe pse tipikisht të gjithë mund të shohin të njëjtin fenomen. Tema merr dimensione të vecanta nëqoftëse do duhet të merren vendime konkrete, në mënyrë që aktori 'A" të reagojë ndaj aktit të aktorit "B". Në këtë mënyrë ana psikologjike e konflikteve që është shprehje e dimensionit subjektiv, bëhet shoqërues i pandashëm i dimensionit objektiv (Ηρακλειδις, A, 2000).
E quajtur ndryshe edhe "komunikimi i monitoruar ", qasja e përfaqësuar nga Burton mbledh sëbashku përfaqësues nga nivele të larta të shtetit apo grupeve të përfshira në konfliktet e dhunshme, me qëllim zhvillimin e bisedimeve joformale të asistuara nga studiues të shkencave sociale (Lisa J. Freeman., Ronald J. Fisher, 2012: 68).
Ndërsa përfaqësuesi tjetër, po aq i njohur i kësaj qasjeje Herbert Kelman, ka preferuar që në grupet e vogla jonformale pjesëmarrësit të mos jenë njerëz të niveleve të larta me pozita vendimmarrëse (policy makers), por individë që gëzojnë autoritet.

Veçoritë e metodës

Krahasuar me metodat e tjera tradicionale të dipllomacisë zyrtare "metoda e zgjidhjes së problemit", synon eksplorimin në thellësi të shkaqeve që kanë çuar në përshkallëzimin e marrëdhënieve konfliktuale. Veçantitë kryesore të saj lidhen me krijimin e një terreni të duhur për zhvillimin e komunikimit të drejpërdrejtë midis palëve apo zhvillimin e konsultimeve, të cilat kanë si qëllim të ndryshojnë në mënyrë graduale qëndrimet e palëve ndaj mosmarrëveshjes, pra nga një konflikt në një problem, i cili të mund të zgjidhet lehtë nëse palët vendosin të bashkëpunojnë. Zgjidhja mund të arrihet – nqs arrihet – nëpërmjet analizës që i bëhet në thellësi mosmarrëveshjes, duke marrë në konsideratë vazhdimisht nevojat themelore të njeriut, dhe promovimin e paqes, drejtësisë dhe barazisë (Rotham, J., Olson, Marie L., 2001: 291).

Argumentohet se aplikimi i qasjeve tradicionale, të cilat përqëndrohen më tepër në përdorimin e fuqisë dhe pushtetit në zgjidhjen e konflikteve, shpesh kanë pasur efektin e acarimit apo përshkallëzimit të konfliktit. Është e qartë psh. se: konfliktet që lidhen me çështjet e identitetit, në vetvete përmbajnë edhe shumë elementë, që lidhen me interesa të tjera të prekshme. Megjithatë, duke iu referuar në këtë pikë të trajtesës teoricienit (njëkohësisht profesor në Universitetin e Harvardit) Kelman, i cili është marrë eksluzivisht me çështjen Izrael- Palestinë, i mëshohet idesë se konflikti në fjalë, apo dhe konflikte të tjera të ngjashme me të, nuk mund të zgjidhen në mënyrë përfundimtare, nëse nuk punohet për rritjen e besueshmërisë që palët duhet të kenë tek njëra-tjetra. E rëndësishme në situata të tilla është vendosja e komunikimit të vërtetë midis palëve të përfshira në konflikt, që mund të arrihet si rezultat i heqjes së pengesave psikologjike (të tilla si: frika, mosbesimi, keqinterpretimet, konceptet e gabuara, stereotipet e ndryshme për armikun etj), dhe me krijimin e një klime të fortë besimi (Rotham, J.,. Olson, Marie L., 2001: 29).

Kelman argumenton se konflikti Izrael - Palestinë, nuk mund të zgjidhet nëpërmjet përdorimit të forcës, që nënkupton se një zgjidhje e imponuar në këtë rast nuk do të ishte veçse afatshkurtër, për shkak se thelbi i konfliktit konsiderohet i pazgjidhur. Konflikti për të njëjtën vlerë (psh, për të njëjtën hapësirë territoriale) konsiderohet vetëm sipërfaqësor për shkak se sikundër argumenton Kelman, pas tij fshihen të tjera vlera më të rëndësishme të tilla si: siguria, mbijetesa, zhvillimi etj. që në thelb

përbëjnë vlera jo sasiore dhe si të tilla bëhet domosdoshmëri keshillimi i paleve të përfshira në konflikt, që të mund të behen realitet.
Mënyra që do mund të çojë në një zgjidhje afatgjatë të konfliktit Izrael –Palestinë sipas Kelman, është krijimi i marrëdhënieve të reja që do duhet të bazohen në respektin e ndërsjelltë të palëve, dhe veçanërisht për çështjet që lidhen me identitetin kombëtar reciprokisht. Ajo që sugjerohet se duhet të ndodhë me qëllim instalimin e një paqeje afatgjatë , sipas autorit, është "negociimi i identiteteve". Çdo lloj përpjekjeje tjetër sipas tij, që anashkalon këtë element do të ketë efektin e polarizimit të mëtejshëm në qëndrimet e palëve të përfshira në konflikt (Rotham, J., Olson, Marie L., 2001: 291).

Sipas Kelman tre duhet të jenë rregullat bazë në procedurën e "zgjidhjes së problemit": privatësia dhe konfidencialiteti i procedurave, duhet të ekzistojë besim paraprak për arritjen e një marrëveshjeje si dhe barazia e palëve gjatë bashkëbisedimeve (Lisa J. Freeman., Ronald J. Fisher 2012: 69). Pala e tretë e cila është pjesë e procesit, në të gjitha rastet përfaqësohet nga studiues të shkencave sociale, të cilët zotërojnë njohuri të mjaftueshme rreth dinamikave të konfliktit dhe proceseve sociale në përgjithësi. Pala e tretë në këtë rast nuk ndërhyn energjikisht duke ofruar zgjidhje si ndërhyrësi klasik, por thjesht lehtëson zhvillimin e dialogut duke ofruar sqarime të ndryshme ose duke asistuar me shpjegime shkencore e teknike në lidhje me mosmarrëveshjet në përgjithësi apo duke u bazuar në ngjarje të vërtetuara, mbajnë shënim çdo gjë që thuhet gjatë diskutimit dhe së fundmi bëjnë të njohur vërejtjet ndaj procesit në lidhje me mënyrën e ndërveprimit midis palëve. Vënia e theksit mbi elementët subjektivë - perceptime, qëndrime, besim, përkushtim, komunikim, orientim – dallon rolin konsultues të palës së tretë, nga roli i ndërmjetësuesit klasik. Kjo metodë bazohet në supozimin se, përmirësimi i elementëve subjektivë të konfliktit do të mundësojë arritjen e një bashkëpunimi midis palëve (Lisa J. Freeman., Ronald J. Fisher 2012: 69).
Sipas metodës së "zgjidhjes së problemit", konflikti perceptohet si subjektiv dhe kjo jo sepse ekziston ne "mendjet e njerezve", por sepse ekziston mundesia e ndryshimit te politikes midis palëve qe kane mosmarreveshje, pa qene nevoja qe te ndryshoj realiteti i jashtem objektiv, i cili ka sherbyer si shtyse per formimin e qendrimeve konfliktuale fillestare, prej te cilave lindi me pas edhe konflikti (Ηρακλειδις, Α., Κωστακος, Γ., Φραχκολοπουλος, Χ 1994: 99).
Bashkebisedimet ne kuadrin e kësaj metode mund te ndahen ne dy faza. Më konkretisht, në fazën e parë theksi vihet në arritjen e një komunikimi të vërtetë midis paleve, që mund të realizohet si rezultat i heqjes së pengesave psikologjike që ndojnë palët konfliktuale (të tilla si: frika, mosbesimi, keqinterpretimet, konceptet e gabuara, stereotipet e ndryshme per armikun etj) dhe në krijimin e një klime besimi.
Në fazën e dytë të bisedimeve fillon hierarkia e qëllimeve dhe vlerave: së pari kërkimi i vlerave reale të cilat nuk janë materiale apo sasior, por që në të njëjtën kohë përbëjnë rrënjët e vërteta të konfliktit, dhe së dyti analizimi në mënyrë të arsyeshme të kostos së konfliktit në lidhje kjo me vlerat që synohen. Me shtimin e të tjera vlerave dhe me rishqyrtimin që i behet mosmarreveshjes, konflikti pushon së qeni i shumes zero, dhe palët arrijnë me kalimin e kohës në përfundimin se zgjidhja mund të jetë e dobishme për to (Ηρακλειδις, Α., Κωστακος, Γ., Φραχκολοπουλος, Χ 1994: 100).
Metoda e "zgjidhjes së problemit" i mëshon idesë se asnjë zgjidhje konflikti (përfshirë si konfliktet ndërshtetërore, ashtu edhe konfliktet e brendshme, ndryshe luftrat e llojit të tretë) nuk duhet konsideruar e "shumës 0", pra si zgjidhje në të cilën njëra palë i fiton të gjitha dhe pala tjetër i humbet të gjitha . Të gjitha konfliktet mund të shndërrohen në konflikte të "shumës jo- zero", dhe ku asnjërës palë nuk do t'i duhet të tërhiqet, apo të bëjë koncesione të imponuara.

Në vënd të përfundimit...
"Zgjidhja e problemit" është konsideruar nga Burton, Kelman dhe të tjerë studiues më shumë sesa një metodë për zgjidhjen e konflikteve. Që në gjenezë është perceptuar si një koncept qëndror i idesë së paradigmës së ndryshuar rreth sjelljes dhe konflikteve në përgjithësi, të cilat janë konsideronte esenciale nëse njerëzimi dëshironte të shmangte situatat katastrofike.
Sipas kësaj metode të aplikuar gjerësisht në funksion të zgjidhjes, si të konflikteve me natyrë ndërkombëtare, ashtu edhe të konflikteve të brendshme (luftrat e llojit të tretë), argumentohet se situatat e konflikteve do duhen të menaxhohen duke marrë në konsideratë, më tepër sesa arsyet

objektive (qëndrimet realiste), nevojat ondologjike të natyrës njerëzore, mohimi i të cilave shkakton lindjen e konflikteve.
Në thelb kjo metodë nuk përbën thjesht dhe vetëm një koncept të ri radikal mbi situatat konfliktuale dhe procesin drejt arritjes së paqes. Më tepër sesa kaq, parakupton një pozicionim të gjerë filozofik, që mund të kontribuojë në mënyrë vendimtare në mbijetesën e shoqërive si në nivel kombëtar, ashtu edhe atë ndërkombëtar.

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PHD. (C) DRITA KRYEZIU – NDËRLIDHJA E EDUKIMIT MUZIKOR ME LËNDËT TJERA MËSIMORE

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Abstrakti

Ndërlidhja dhe vazhdimësia në mësimdhënien është e një rëndësie të veçantë pasi që nxënia e përmbajtjes mësimore realizohet më e plotë dhe më me sukses.
Ndërlidhja e edukimit muzikor me lëndët tjera është shumë e nevojshme duke u nisur nga vetë fakti që këto ndërlidhje sjellin kreativitet dhe atmosferë në procesin mësimor.
Në ketë punim kemi realizuar disa ndërlidhje duke u nisur nga: ndërlidhja e edukimit muzikor me letërsinë – poezinë; ndërlidhja e edukimit muzikor me vallëzimin; ndërlidhja e edukimit muzikor me artin figurative; ndërlidhja e edukimit muzikor me lëndën e historisë; ndërlidhja e edukimit muzikor me njohjen e kulturës së popujve të ndryshëm si dhe ndërlidhje mjaftë e ngushtë është lidhja në mes të cilësive muzikore dhe shtrirjes gjeografike.
Lidhjet e muzikës me artet tjera janë të pakontestueshme, meqë për t'i ndarë artet nga njëri – tjetri është pretendim i pamundur për qëllimin e trajtimit të mirëfilltë dhe të kompletuar (çdo njëri prej arteve të bën për vete dhe të ndihmon në shpjegimin e fenomeneve dhe dukurive të ndryshme).
Në këtë punim janë paraqitur shembuj të ndryshëm për secilën ndërlidhje për të parë se si reflektohet kur ndërlidhen lëndët mes veti.

Fjalët kyçe: ndërlidhja, edukimi muzikor, mësimdhënia, nxënësit.

Hyrje

Ky punim përqëndrohet në ndërlidhjen e edukimit muzikor me lëndët tjera mësimore sidomos me ato që bazohen në arte. Në mënyrë të veçantë theksohet simbioza muzikë – poezi si ndërlidhje e natyrshme e formave të punës në kuadër të lëndëve edukatë muzikore – gjuhë amtare, edukatë muzikore, gjuhë e huaj.

Ndërlidhja muzikë – lëvizje është argument i fuqishëm i raportit të pashkëputshëm mes tyre gjë që transmetohet gati në të gjitha format e mësimit të muzikës. Në punim veçanërisht theksohet vallja si tërësi estetike që ndërlidhet edhe me edukimin fizik.

Paraqitja vizuale e dukurive muzikore përmes simboleve të ndryshme është formë e shkëlqyeshme e gërshetimit asociativ audio – vizual.

Në vazhdim paraqitet ndërlidhja muzikë – shprehje figurative duke u ndalur në hulumtimet nga literatura por dhe në një shembull nga praktika jonë shkollore ku dëgjimi i një kompozimi bëhet inspirim për krijimin e një vizatimi që përkon me shprehjen e kompozimit.

Po ashtu në vazhdim të këtij punimi duke reflektuar në ndërlidhje theksohet fakti se nxënësit përmes këngës përjetojnë më thellë ngjarjet dhe personazhet historike se sa kur jepen vetëm fakte historike poashtu në kontekstin e njohjes së kombeve dhe vendeve të ndryshme ndërlidhja e folklorit muzikor të tyre mundëson përjetimin edhe të vlerave shpirtërore të tyre.

Ndërlidhja e edukimit muzikor me letërsinë – poezinë

Edhe pse muzika, letërsia – poezia janë të pavarura kanë një fushë të gjerë të analogjive formale dhe esenciale. Gjatë zhvillimit të tyre historik, këto arte kanë qenë bazë e bashkëveprimit në fushën e muzikës vokale, formave vokalo- instrumentale dhe të artit skenik si opera, opereta, melodrama, pjesë me këndim etj.

Në të kaluarën dhe tash muzika është shfaqur me lloje të tjera artesh, posaçërisht me poezinë me ç'rast janë bërë përpjekje për të paraqitur diçka, për të shprehur apo edhe për të kërkuar diçka.
Kështu që muzika edhe mund të ndihmoj por edhe të jetë e ndihmuar nga poezia.
Kjo lidhje e muzikës dhe poezisë ka qenë praktikisht më e frytshme në lëmin e
muzikës vokale dhe formave tjera muzikore, në të cilat merr pjesë zëri i njeriut.
Lidhjet e muzikës dhe të poezisë janë të pashkëputshme. Ndërlidhja e vijës melodike në unitet me poezinë është më afër nxënësit. Ato së bashku(ushtrimet melodike me tekste poetike), zhvillojnë veshin muzikor te nxënësit.

Muzika është pjesë e marrëdhënieve të letërsisë edhe me artet e tjera. Marëdhëniet e para të muzikës me letërsin kanë qenë të ndërsjellta më pas ato u shëndërruan në forma të ndryshme komunikimi.
Fjala ka domethënie të caktuar, ajo ngërthen në vete '' idenë'', krahasuar me tingullin i cili është fenomen akustik por njëkohësisht estetik, mirëpo si i tillë nuk ka domethënie krejtësisht të përcaktuar si fjala. Fjala në letërsi sajon një vepër, që më vonë mund të quhet roman apo edhe ndonjë gjini tjetër letrare, ashtu edhe tingulli si element themelor i muzikës, është atom në formimin e një përmbajtjeje specifike të re muzikore.

Si mund të ndërlidhen këto shprehje artistike në procesin mësimor?
Muzika e dëgjuar mund t'i nxitë nxënësit me prirje letrare të hartojnë ndonjë përmbajtje letrare, në formë tregimi apo poezie.
Shkrimtarët dhe kompozitorët gjithmonë e kanë gjetur një gjuhë të përbashkët dhe kanë ndërlidhur veprimtarinë e tyre me njëra - tjetrën.
Në historinë e muzikës ka të dhëna se njeriu ka kënduar mu atëherë kur filloi të flasë.
Përveç ndërlidhjes së edukimit muzikor me gjuhën amtare ajo poashtu ka të bëjë edhe me gjuhët e huaja dhe është e një rëndësie të veçantë në procesin edukativ arsimor.
Pedagogët e gjuhëve të huaja aplikojnë këngë, të cilat ndihmojnë mësimin e gjuhëve të ndryshme ngase fjalët e huaja përmes këngës mbahen mend më lehtë.
Me këtë rast bashkëveprohet në dy sfera njëkohësisht: në sferën njohëse: kuptimore dhe emocionale.

Ndërlidhja e edukimit muzikor me lëvizjen:

Raportin e ngushtë në mes të muzikës dhe lëvizjes si tërësi estetike do ta ndjejnë nxënësit në vallet popullore dhe fëmijërore, të cilat mund të realizohen të ndërlidhura si në edukatën muzikore ashtu edhe të lëndës edukatë fizike.

Shumë forma të hershme të muzikës dhe valles u krijuan dhe u interpretuan së bashku. Ky zhvillim i përbashkët ka vazhduar gjatë kohëve me format e valles - muzikës të tilla si : valle e shpejtë, e ngadalëshme, e gëzueshme e deri në vallet aktuale si: vals, tango, elektronike, hip – hop etj.
Gjithashtu disa zhanre muzikore kane një formë paralele valleje të tilla si muzikë barok dhe valle barok ndërsa të tjerat zhvillohen të ndara : muzikë klasike dhe balet klasik.

"Lëvizjen nuk duhet ta konsiderojmë vetëm si funksion muskulor, por si rrjedhim të një mendimi që zgjatë, kurse muzikën nuk e konsiderojmë vetëm lojë tingujsh, por si forcë të brendshme, e cila të lëvizë. Kështu fillon loja e pashtershme, e pasur dhe e njëpasnjëshme e raporteve në mes njërës dhe tjetrës, me kohën, hapësirën, forcën dhe formën".374 – thotë Josip Kramershek në librin e tij "Estetska gimnastika".

[374] Krameršek, Josip. Estetska Gimnastika - Osnovi. Zagreb 1952, fq. 69

Varësisht nga karakteri i veprës, nxënësit do t'i realizojnë edhe lëvizjet: me temp të shpejtë, karakter të gëzueshëm - lëvizje të gjalla, marshi – me lëvizje të mprehta, kompozimi lirik – lëvizjet e gjëra dhe të buta.

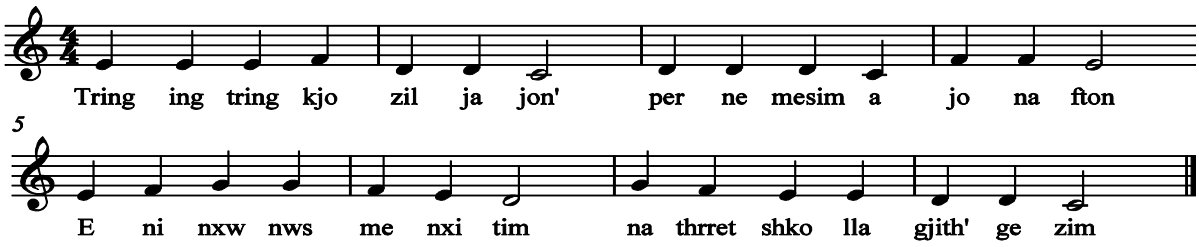
Frymëmarrja, intonimi i saktë, cilësia e zërit, këndimi pa shtrëngime dhe diksioni me një edukim të mirëfilltë, ndërlidhin kulturën vokale dhe kulturën e lëvizjes.
Aftësitë e nxënësëve zhvillohen dhe formohen në mënyrë graduale, por nxënësi në çdo etapë të zhvillimit është krijesë e tërësishme. Të tërësishëm janë edhe karakteri, të shprehurit dhe përjetimet e tij.

Kur loja është e përcjellur me muzikë i bënë nxënësit më të gjallë, më të hareshëm, më atraktiv.
Çdo vepër e re e dëgjuar nxënësit e përcjellin në forma të ndryshme, në mënyrë sponatne pasi që muzika nxitë emocione dhe ndjenjat thellohen te ata.
Gjithashtu duhet patur kujdes në përzgjedhjen e materialit që do t'ju ofrojmë nxënësve pasi që në rend të parë ai duhet t'ju përshtatet moshës së tyre, në mënyrë që ata të kenë mundësi përjetimi sa më të thellë.

Këngët me karakter vallëzues janë më të afërta për ta ngase në të njejtën kohë këndojnë dhe vallezojnë. Ja një këngë e cila mund t'i nxitë nxënësit më të vegjël që të këndojnë e të vallëzojnë njekohësisht.

Shembulli: F.Beqiri

Zilja jone



375

Kjo këngë është e realizuar në praktikë ku së pari është bërë demonstrimi i këngës duke vazhduar kështu me një bisedë të shkurtër.

Ndëridhja e edukimit muzikor me artin figurativ:

Në aktivitetet e ndryshme muzikore – krijuese nxënësi mund të paraqitet si krijues, interpret dhe vlerësues i punës apo lojës së vet dhe kjo mund të merret si një ndërlidhje më vete të aktivitetit. Mbresat emocionale që i përjetojnë nxënësit duke dëgjuar një vepër muzikore, sidomos me karakter programor, mund të nxisin kreativitetin e tyre për të vizatuar dhe anasjelltas, tablotë figurative mund të zgjojnë imagjinatën për krijimtarinë e tyre muzikore.
Në procesin edukativ muzikor nxënësëve nuk duhet t'ua ndërpresim lojën kreative, përkundrazi ajo duhet të gërshetohet me të gjitha komponentet e edukimit. "Ne dëshirojmë që fëmijët ti zhvillojmë emocionalisht, ti sensibilizojmë ata, t'ua zgjojmë fantazinë, ti nxisim shprehjet e tyre kreative dhe ndjenjat ndaj të bukurës".376
Ndërlidhja e suksesshme arrihet me planifikimin dhe shpërndarjen e përmbajtjeve mësimore në lëndët e ndryshme me shfrytëzimin e përvojës së nxënësve, me qëndrimin e drejtë të mësimdhënësit

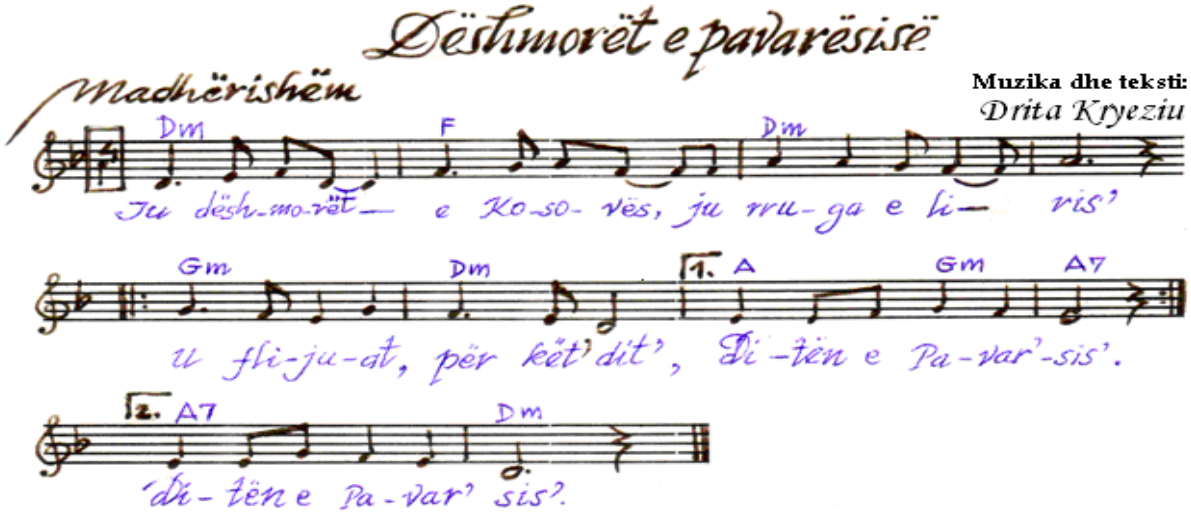
375 Rudi Drita – Rafet Rudi, Edukata 3. Dukagjini, Pejë, 2006, fq.8
376 Casopis "Muzicka kultura", broj 5, Zagreb. 1982, fq. 189

ndaj lëndëve tjera mësimore, me hartimin dhe shfrytëzimin e teksteve shkollore dhe aktiviteteve të lira.

Nxënësit, duke dëgjuar një vepër muzikore, përshtypjet emocionale mund t'i nxisin ata për shprehje kreative për vizatim dhe anasjelltas. Tejtrajtime të tilla asociative të përshtypjeve, janë të njohura në krijimtarinë dhe pedagogjinë muzikore. Prirjet kreative në shkallë të ndryshme nuk duhet të jenë pengesë e punës së përbashkët dhe individuale te nxënësve, përkundrazi, këto mund të jenë motivim dhe nxitje për punë më të frytshme.

Mësimdhënësi duhet të jetë ai i cili orën e vizatimit do ta bëjë edhe më inspiruese duke e ndërlidhur dëgjimin e ndonjë vepre muzikore që për nga shprehja përkon me karakterin e temës nga edukimi figurativ në mënyrë që ata të shprehin sa më mire potencialin e tyre krijues.

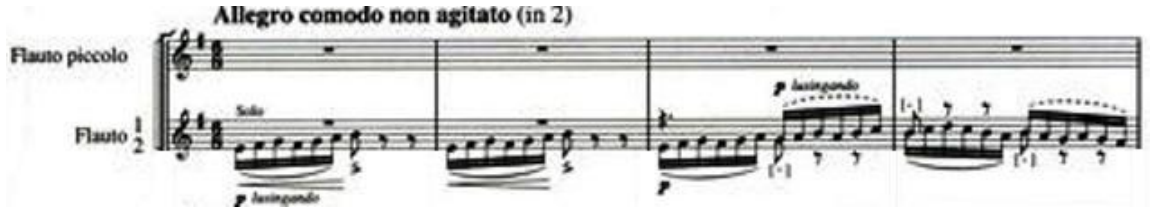
Ndërlidhja e edukimit muzikor me lëndën e historisë:

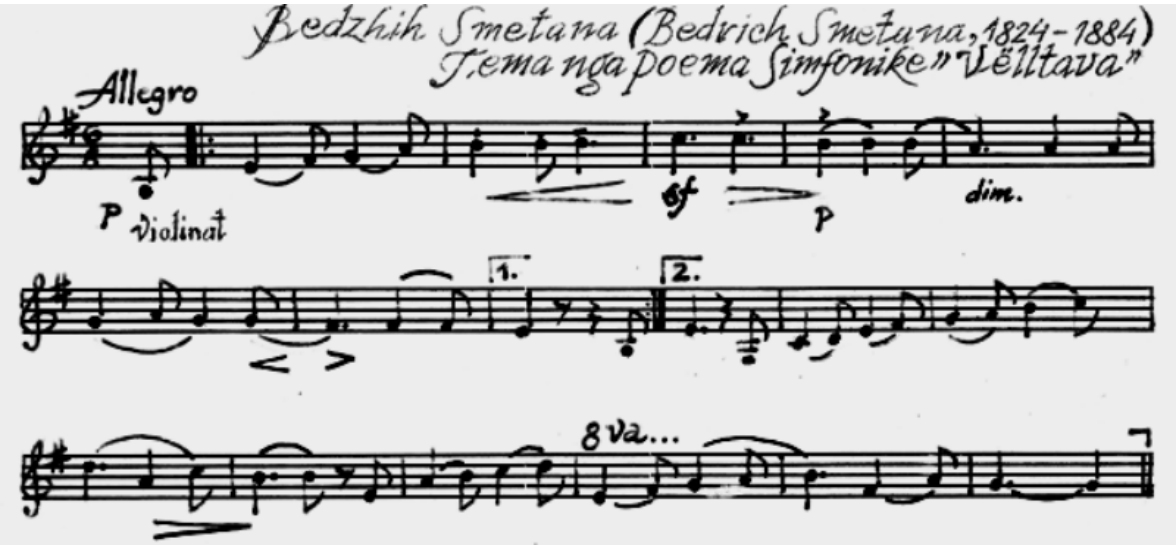
Arti dhe vlerat artistike edhe kanë karakter shoqëror – historik ngase kushtëzohen nga niveli i zhvillimit të mardhënieve shoqërore, nga niveli i qytetërimit njerëzor.
Nëpërmjet këngës nxënësit përjetojnë më thellë ngjarjet e ndryshme që kanë ndodhur gjatë historisë.
Veprat që paraqesin figurat e heronjve dhe ngjarjet historike, shërbejnë si mjet motivues emocional në orët e historisë dhe mund të bëhen shkas për krijimtari muzikore me karakter heroik.
Nxënësit më thellë e ndjejnë heroizmin e popullit përmes veprave muzikore dhe shprehjeve tjera artistike.
Pra, për ta fuqizuar përjetimin dhe të kuptuarit e përmbajtjeve muzikore, në mësimin e edukimit muzikor aplikohen në mënyrë të ndërsjellë njohuritë nga lëndët tjera, si domosdoshmëri e vazhdimësisë së ndërlidhjes në edukimin dhe arsimimin muzikor.
Ja një shembull ku përmes këngës arrihet përjetimi i (muzikës-melodisë), këngës dhe përvetësimi i përmbëjtjes tekstuale për dëshmorët e pavarësisë.

Këto këngë rrëfejnë të kaluarën dhe të sotmen historike, ato janë nxitje për për liri, pavarësi e drejtësi shoqërore.

Ndërlidhja e edukimit muzikor me njohjen e kulturave të ndryshme

Ndërlidhja me folklorin muzikor në kontekstin e njohjes së kombeve dhe vendeve të ndryshme, do ti njohë nxënësit për së afërmi edhe me vlerat shpirtërore muzikore, të këtyre vendeve.
Ngjarjet historike e aktuale të një kombi,përshkrimi i natyrës së një vendi, personalitetet e njohura, kompozitorët mund t'i shprehin përmes gjinive të ndryshme muzikore: me muzikë orkestrale, programore, në formën e poemës simfonike si tërësi të pandashme etj. P.sh. është e njohur poema simfonike "Vëlltava", e kompozitorit çek, Bedzhih Smetana, i cili përmes tingujve muzikor përshkuan

rrjedhën e lumit Vëlltava që nga burimi i tij. Kompozitori edhe përmes simboleve muzikore shpreh forcën, guximin dhe trimërinë, me tinguj të fuqishëm, ritëm të theksuar, melodi të karakterit dramatik(përmes frymorëve të tunxhit), pastaj krenarinë, entuziazmin, gëzimin dhe mallëngjimin e bashkëvendësve të tij.

"Vëlltava" shtratin e saj e fillon me dy burime në një hije mali (dy flauta),

të cilat pastaj shkrihen në një përrua. Ajo duke rrjedhë nëpër Çeki krijon shtratin e një lumi të madh. Duke kaluar nëpër male, dëgjohet zëri i bririt (kornës), e cila paralajmëron kohën për gjueti, ndërsa duke kaluar nëpër fushat e bujshme me lule dëgjohen vallet e ahengut dasmor.

"Pra, gjeografia muzikore mund të pasurojë njohuritë e përgjithshme të nxënësve për vendet dhe popujt e ndryshëm".377 Temën e poemës simfonike "Vëlltava", nxënësit mund ta këndojnë para dëgjimit të veprës.

Si ndërlidhje mjaft e ngushtë është lidhja në mes të cilësive muzikore dhe shtrirjes gjeografike ku mund të dallohet se cilit komb i takon, kështu që do të vërehet më lehtë muzika autoktone e një populli.
''Shpjegimet dhe përshkrimet lidhur me një vend të caktuar do të jenë më piktoreske po të shoqërohen edhe me ilustrime muzikore të popullit të këtij vendi''.378
Edukimi muzikor mund të ndërlidhet me lëndë të ndryshme duke i plotësuar ato me elementin muzikor që ndihmon arritjen e përjetimeve më të thella gjatë përfitimit të njohurive në lëndët respektive.

Nga ana tjetër për ta lehtësuar përjetimin dhe të kuptuarit e përmbajtjeve muzikore, në mësimin e edukimit muzikor aplikohen në mënyrë të ndërsjellë njohuritë nga lëndët tjera, si domosdoshmëri e vazhdimësisë së ndërlidhjes në edukimin dhe arsimimin muzikor.

377 Spahiu, mr.Seniha Metodika e muzikës. Prishtinë, 2009 fq.269
378 Spahiu, mr.Seniha Metodika e muzikës. Prishtinë, 2009 fq.269

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ON THE WAY TO MOURNING IN *HAMLET*

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On the Way to Mourning in *Hamlet*

‘Tis not alone my inky cloak, good mother,
Nor customary suits of solemn black,
Nor windy suspiration of forced breath,
No, nor the fruitful river in the eye,
Nor the dejected haviour of the visage,
Together with all forms, modes, shows of grief,
That can denote me truly; these indeed “seem,”
For they are actions that a man might play;
But I have that within which passeth show;
These but the trappings and the suits of woe.

(Act I, Sc. II)

This is how Shakespeare gushes forth Hamlet’s sorrow through the lines of the play, sorrow - immense and immeasurable, going beyond tears “suits of solemn black” or any other way of its outward manifestation. These lines are also Hamlet’s response to his mother when she endeavours to persuade him to accept the transience of life as something “common”, for “all that lives must die, / Passing through nature to eternity.”

Hamlet, however, cannot reconcile himself to his father's death. His soul is overwhelmed by "the trappings and the suits of woe". This scene displays the first point in the play where Hamlet himself talks about the overwhelming grief entrapping his soul in response to the reproaches of his stepfather and mother for his sadness that he does not manage to hide. This is how the topic of mourning is introduced in the play through the typical situation in which the loss or death of someone brings grief to another person.

In his essay "Mourning and Melancholia", Freud defines mourning as: ''regularly the reaction to the loss of a loved person, or to the loss of some abstraction which has taken the place of one, such as one's country, liberty or ideal, and so on". The meaning of the English word "mourning" comprises both the effects of grief and its outward manifestation.[1]

According to these definitions, the beginning of the play unfolds the typical background for mourning with all the circumstances that should invoke it. However, in spite of the presence of death and Hamlet's immeasurable grief, it only seems that he is mourning for the loss of his father, but things are never what they "seem" to be in the play. The main character sets off on the way to mourning; however, it turns out that the winding path to mourning in the play is somehow aborted or obstructed. Not only Hamlet, but all the characters trying to mourn, at some point, are deflected from their objective or prevented from attaining it. Ophelia's way to mourning leads her to madness. Laertes' mourning is only a tool used by Claudius who guides his destiny. Thus, failure in mourning on the large scale in the play is reflected through the failure

[1] See Freud, "Mourning and Melancholia" (1915), SE 14, p. 243.

of the main character. Being dispossessed of the throne and power and forced to live in the kingdom ruled by his father's murderer, Hamlet's grief seems to be buried in his soul for ever, crushing him inwardly for he is unable to manifest it in the open. The way to mourning of the main character is paved by his attempts and failures until the final hour, the hour of his destruction, which brings about renewal of life, but only after Hamlet's death.

There is something "unnatural" in the whole play, pervaded by failures to mourn, abbreviated and maimed funeral rituals, transpositions from sanity to madness, appearances of ghosts, excess of grief and emotions, something surpassing the boundaries of normality and stepping over the inner psychic world of the play. This unnatural, abnormal or peculiar thing, which lies at the core of the enigma of mourning and its accomplishment, is especially centred on the main character. Hamlet's inability to undergo the normal state of mourning, his "antic disposition", and the labyrinth of his outrageous puns, innuendoes and conceits indicate that his peculiarity is deeply rooted in his inner psychic nature and, therefore, can only be accounted for through analysis of the same.

Making a distinction between mourning and melancholia, Freud says: "although mourning involves great departures from the normal attitude to life, it never occurs to us to regard it as a pathological condition and to refer it to medical treatment".[2] According to Freud, in mourning the libido's attachment withdraws from the loved object after the reality testing has proved that the loved object does not exist any more. This is performed gradually, by bringing up each one of the memories and expectations in which the libido is bound to the object so that the detachment of the libido can be

[2] See Freud, "Mourning and Melancholia", pp. 243-244.

realised. Eventually, after the work of mourning, the libido remains uninhibited and free again. What is crucial, however, for the character of Hamlet is the correlation of mourning and melancholia both manifested through the profoundly painful dejection, cessation of interest in the outside world, loss of the ability to love and inhibition of activity. However, Hamlet's behaviour goes beyond that, surpassing the pure state of mourning.

Throughout the whole play Hamlet is embittered, because he is unable to act despite his great "cause". Thus, in the second act, comparing his inhibition to the passion of actors, Hamlet says:

> Yeti,
>
> A dull and muddy-mettled rascal, peak,
>
> Like John-a-dreams, unpregnant of my cause,
>
> And can say nothing; no, not for a king,
>
> Upon whose property and most dear life
>
> A damn'd defeat was made. Am I a coward?
>
> Who calls me villain?
>
> (Act II, Sc. II)

As the lines progress he plunges in such a cascade of abuses and reproaches, calling himself "pigeon-liver'd and lack gall", "ass", "whore", "drab", "scullion" and what not, that ultimately he ends with complete denigration of his personality and his selfesteem.[3] In this scene as in many others where he uses each occasion to describe himself as petty,

[3] The sexual allusion in the words "unpregnant" and "whore" implies the absence of phallus and, therefore, castration. I will be referring to the phallus and castration later in the essay.

egoistic, dishonest, lacking in independence, full of weaknesses, Hamlet displays the typical characteristics of melancholic behaviour through lowering of his self-esteem, self-reproaches and abuses, culminating in the delusional expectation of punishment. That is why Hamlet's behaviour surpasses the non-pathological state of pure mourning and displays the typical characteristics of melancholia. It seems that he wants to expose his weaknesses and guilt to the whole world. The trait that distinguishes melancholia from mourning is its relation to the ego. Both in mourning and melancholia the libido is detached from the object after its loss. The difference is that in melancholia the libido does not attach itself to another object, but somehow shifts on to the ego, that is, the free libido withdraws into the ego so that the ego is identified with the lost object. That is why Hamlet derives both masochistic and sadistic enjoyment from tormenting himself. In this way both affection and hostility for the lost object find shelter in the narcissistic identification. The affection for the loved object is actually the love for the same which cannot be abandoned, whereas the hostility for it is expressed through everything derogatory, all reproaches and self-accusations that the melancholic has not actually said of himself, but of the loved object. It seems that one part of the ego sets itself against the other, judges it severely and takes it as its object. Here the ambivalence of the love relationship comes into the open or, as Freud explains:

> In almost every case where there is an intense emotional attachment to a particular person we find that behind the tender love there is a concealed hostility in the unconscious. This is the classical example, the prototype, of the ambivalence of human emotions. This ambivalence is present to a greater or less amount in the innate

disposition of everyone; normally, there is not so much of it as to produce the obsessive self-reproaches we are considering.[4]

This unconscious hostility is projected in the construction of the ceremonial which gives expression to the fear of being punished by demons embodied in the spirit or ghost of the deceased. In that sense, uttering the name of the deceased is a taboo, for it invokes the demon through the return of the dead person's ghost. Thus Hamlet invokes the demon when, at the first appearance of the ghost, he utters the name of his dead father. He does not only break the sacred taboo, but Hamlet even violates the ghost's command: "Leave her to heaven" when he "speak(s) daggers" to his mother. In the symbolic act of "speak(ing) daggers", Shakespeare maims not Gertrude's body, but Hamlet's language, employing his words as "daggers" in a symbolic attack on Gertrude.

The very appearance of ghosts, according to the belief in folklore, when significant rites are omitted, is related, in Lacan's words, to the "refusal of something in the satisfaction of the dead".[5][6][7] According to Lacan, the loss of the object creates a hole or a gap in reality. In mourning images rush in to fill the gap in the Real caused by someone's death and at the same time the hole in the Real, that results from that loss, sets the signifier in motion.[6] The work of mourning is organised at the level of logos and performed through the ritual or the rites. Thus, the rites or the ritual have to be accomplished as as an obligation to the memory of the dead and a satisfaction of the

[4] See Freud, *Totem and Taboo* (London, Melbourne and Henley: Routledge & Kegan Paul, 1950), p. 60.

[5] Lacan, "Desire and the Interpretation of Desire in *Hamlet"* in Felman ed., *Literature and Psychoanalysis***,** p. 39.

[6] Lacan borrows the meaning of the signifier from Ferdinand de Saussure, that is, from a notion that has become essential for structuralism. According to Saussure, language is a system of signs. Each sign consists of a signifier (the sound image) and the signified (the concept). Lacan will separate the signifier and the signified by a bar with the signifier written above the bar and the signified below it.

disorder that is produced by the inadequacy of signifying elements to cope with the hole that has been created in existence.

Therefore, ritual is essential in mourning, but what is obvious in the play is that the ritual is never satisfied. The inexpiable grievance of Hamlet's father comes from the fact that he is wronged eternally, having been killed in the "blossoms of (his) sins" and having no time to prepare himself for the throne of judgement. The funeral ritual for his death is cut short, for it is almost immediately followed by an occasion for celebration - his wife's marriage to his brother. In the case of Polonius, the funeral rites are completely missing, for it seems that his body is never found. Ophelia's funeral is an example of double maiming of the ritual. Having committed suicide, which, according to religion, is a sin, her body cannot be buried on Christian ground. Yet, the priest, probably because of Ophelia's social background, unwillingly consents to her Christian burial. This is the first maiming of the ritual. It is maimed for the second time when the funeral rites are themselves abbreviated as a compensation for the priest's guilty conscience. The execution of Guildenstem and Rosencrantz should be performed "Not shriving time allowed", just as in the case of the murder of Hamlet's father. The play is pervaded by unpreparedness for death, insufficient mourning and abbreviated and truncated rites.

It seems that Hamlet's dead father will never be satisfied, for his ghost permeates the whole play. There is something ominous in the behaviour of the main character and in the whole atmosphere of *Hamlet.* Death seems to be everywhere, not only surrounding Hamlet, but it is also in him. Thus, Eleanor Prosser, analysing Hamlet's "antic disposition", gives an essential clue in this sense:

> Hamlet's choice of words, "antic disposition," is significant. In Shakespeare's day, "antic" did not mean "mad." It was the usual epithet for Death and meant "grotesque," "ludicrous." The term is appropriate for the grinning skull and the tradition of Death laughing all to scorn, scoffing at the pretences of puny man. May not this meaning be the operative one ?[7]

Therefore, by undertaking the "antic disposition", Hamlet not only remembers what he is haunted by - his father's ghost, but he also locks death for ever in himself. Instead of gradually detaching himself from the memories of the dead, by undergoing the normal course of mourning, Hamlet does exactly the opposite, since in the act of "remembrance" "within the book and volume of (his) brain" what he actually remembers is death and, ultimately, he inscribes himself with it. If Lacan argues that "the unconscious is structured like a language" and, therefore, every single utterance, spoken or written, is invaded by the unconscious, then the world of Hamlet's unconscious is projected in the play through the labyrinth of his puns, innuendoes and conceits. Thus, in his attempt to describe his "disposition" to Rosencrantz and Guildenstem, Hamlet gives his famous definition of man as "quintessence of dust", implying, not only the irony of death which "laughing all to scorn, scoffing at the pretences of puny man" is the inevitable end of every human being, but also how deeply he has gone in his commitment to death. Hamlet's ridiculous dragging of Polonius's body, which he has "compounded ... with dust" and his disconcerting jokes also indicate his "grotesque" and "ludicrous" game of death.

Having inscribed himself with death, it seems that Hamlet tries to incorporate his father's ghost and, therefore, impersonate his father. When he appears to Ophelia in her

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7 Eleanor Prosser, ***Hamlet and Revenge*** (Stanford: Stanford University Press, 1967), p. 149.

boudoir - pale, silent, sorrowful, with “horrors” in his eyes, he looks just like the first appearance of the ghost. Hamlet again plays his father’s role when, on the storm-tossed ship, he breaks the seals of the message borne by Rosencrantz and Guildenstem, substituting one message for another and duplicating the royal seal with his father’s ring. This game ultimately saves his life, for in *Hamlet* things are not what they “seem” to be. This scene, just like Lacan’s reading of “The Purloined Letter”, can be seen as an allegory of the supremacy of the signifier over the subjects. According to Lacan, desire is lodged to a degree in all that is seen. Every observer is taking his object-world for granted. However, since the unconscious is inscribed in that desire there will always be a mis-seeing. Rosdncrantz and Guildenstem are caught out by a look of desire, or by the signifier for which the message stands: Hamlet’s execution in compliance with the King’s order. Being blind in their desire, they take the substituted message, thus unwittingly going off to their own execution.

Locking the ghost in his memory, Hamlet is impersonating his father not only in life, but also in death when, lying dead, he is a real embodiment of the armoured appearance of the ghost at the beginning of the play. This embodiment together with Hamlet’s announcement at Ophelia’s grave: ’’This is I / Hamlet the Dane” indicates Hamlet’s relationship to his father. Hamlet is actually trying to identify with his father. This goes back to the above mentioned ambivalence of the love relationship and leads to one of the main obstructions on Hamlet’s way to mourning - the Oedipus complex. Hamlet’s relationship to his father is a complex one. On the one hand Hamlet is completely crushed by the loss of his father and all he can think of is his father’s exalted vision, but on the other hand there is some unconscious hostility in him against the deceased, expressed only after his death and concealed in the narcissistic identification

through Hamlet's self-accusations and reproaches. According to the Oedipal reading of *Hamlet,* presented by Ernest Jones, Hamlet is a little Oedipus who cannot realise his revenge and kill Claudius, because he stands in the place of his own desire, having killed his father and married his mother.[8] This Oedipal interpretation of Hamlet's behaviour goes too far, since there is not so much ambivalence in the love relationship as to justify the self-accusations and reproaches of the survivor.[9] However, the Oedipal triangle is obvious in the play through Hamlet's relationship to his parents.

Gertrude, in the role of Hamlet's mother, has a cmcial importance on the way to mourning. Assuming an essential position in the Oedipal structure, her character is also the pivot of the structure of the play and pivot in the psychoanalytical approach to *Hamlet.* The role of Gertrude is made so important that T.S. Eliot poses the question of femininity in the play. According to him, "Gertrude is not deemed a sufficient cause" as Jacqueline Rose explains in her essay *"Hamlet* - the 'Mona Lisa' of Literature". Indeed, the play resembles the famous Leonardo's painting in its indecipherable nature with a female character, that of Gertrude embodying, according to Eliot, the aesthetic inadequacy and failure of the play. The whole play itself seems to be structured around this female character. Gertrude is also the initial point in Lacan's winding approach to mourning in the play. Hamlet himself is in the relationship of dependence on the desire of his mother as the desire of the Other.[10] The object of his mother's desire is, in Lacan's words, ''the sacrosanct genital object that...appears to her as an object to be enjoyed...

8 See for example, Laurence Lemer ed., *Shakespeare's Tragedies, An Anthology of Modern Criticism,* Harmondsworth 1963.

9 See Freud, *Totem and Taboo.*

10 Lacan explains Hamlet's procrastination in terms of the "Other". The "Other" for Lacan has a specific meaning, it only functions in the symbolic register, only in the context of language, authority, law, transgression and sanction.

in what is truly the direct satisfaction of a need, and nothing else".[11]

Another thing that we encounter in the play is that Hamlet, as Lacan explains, is constantly suspended in the time of the Other, that is, "the hour of the Other" from the very beginning to the end of the play. He does not seem to be the agent of his destiny. Hamlet always acts beyond himself and his deciding and follows somebody else's decisions, plans and intentions within somebody else's time. He does not go to Wittenberg because the king tells him: "It is most retrograde to our desire". He leaves for England obeying the King's orders, and he is not able to kill his stepfather while he is praying, because it is not the hour of the Other. Thus, the tragedy runs its unrelenting course till the very end when it is finally Hamlet's hour, the hour of his death. Until the point of his death Hamlet is subject to the desire of the Other and to the signifier of that desire of the Other, the phallus, for, according to Lacan, he is "in a certain position of dependence upon the signifier".[12]

Therefore, Hamlet's action is suspended because it is the hour of the Other, because he is subject to the desires of others, that is, to the signifier of the desires of others; the master signifier of these desires is the phallus. The phallus has a specific meaning for Lacan or, as John P. Muller puts it: "The phallus stands for what the mother lacks and with which the child identifies in order to be recognised by her as being the totality of her desire, as being that which fills up what is missing to her".[13] At first the child is identified with the phallus in an imaginary way and identified with the mother's desire as her object so that at this structural stage the phallus is not a signifier. According

11 Lacan, "Desire and the Interpretation of Desire in *Hamlet'*, pp. 12-13.

12 Lacan, "Desire and the Interpretation of Desire in *Hamlet'*, p. 11.

13 Muller, "Psychosis and Mourning in Lacan's *Hamlet." New Literary History* 12, no. 1 (Autumn 1980), p. 150.

to Lacan, the third member of the Oedipal structure, the father, who stands not for himself, but for the function of law and symbolic order is the one who will interrupt this dual imaginary relationship. At this stage when the child begins to speak, it becomes subject to the laws of language which are contained within the symbolic order. These laws of language underlie the social order in which the child now becomes a more active participant. Thus, the third member of the Oedipal structure brings about the Oedipal resolution. The child abandons the imaginary identification with the phallus and the dual relation with the mother and becomes symbolically identified with the father's name. However, this is carried out at a price and the child must undergo a symbolic castration of the imaginary phallus in payment for entering the symbolic order as a speaking subject. Thus, the decline of the Oedipus complex is carried out when the Name-of-the-Father (the signifier of the law) substitutes the original signifier of the desire of the mother.

This is the point where Lacan establishes connection between the Oedipus complex and mourning. According to him, it is a symbolic loss of the original object, the phallus, that is mourned and this loss comes about with the decline of the Oedipal complex. However, in the tragedy of Hamlet, unlike that of Oedipus, after the murder of the father, the phallus is still here and it is embodied by Claudius. Thus, Hamlet has never undergone a symbolic castration, because he has never been able to separate from his mother and identify with the Name-of-the-Father (the signifier for law). Therefore, Hamlet is unable to mourn, because he is unable to deal with symbolic castration and unable to establish order between law and desire. The Oedipal journey for Hamlet cannot be fulfilled, because both Hamlet and his mother have never acknowledged the

lack.

This is why the Oedipus complex, with Gertrude's essential position in the Oedipal structure, is one of the main obstructions on Hamlet's way to mourning in the play. Hamlet's excessively emotional relationship to his mother and, ultimately, his concealed wish to replace the king, father and god in his mother's life is a direct reflection of his unfulfilled Oedipal journey. Hamlet's relation to the third element in the Oedipal structure is very complicated, since the Name-of-the-Father is embodied both by his biological father and by his stepfather. It seems that Hamlet encounters failure on both accounts. On the one hand, he is unable to impersonate his father during his life and, therefore, identify with the Name-of-the-Father. Only in death can he embody his father's royal grandeur. On the other hand, although he seems to obey the orders of his stepfather, he will never identify with the Name-of-the-F ather embodied by Claudius's law.

Failure in mourning is not evident only on the account of the main protagonist in the tragedy, but it permeates the whole play. Performance and madness are the only circuitous ways in the play for the realisation of mourning. Thus, in the scene with the "tragedians of the city", the mourning is disguised in the performance of Hecuba's mourning for Priam and the Queen's "passionate action" in the Dumb Show. In "The Mousetrap", however, there is no mourning as a consequence of the murder. At the point of Gonzago's death, Hamlet interrupts the play and converts it into a narrative, just as mourning was aborted in Claudius's court after Hamlet's father was murdered. Being a dispossessed mourner, Hamlet cannot bear the "feigned" mourning of the performance, for it opens the gap between mourning, on the one hand, and accomplishment on the

other.

Ophelia is another example of the deflected route of mourning both in her madness, as the end of her way to mourning, and in her death as an object to be mourned. Ophelia's mad songs, as the only direct ritual lamentation, are another proof that mourning can only be madness in the play. After the boudoir scene, there is a significant change in Hamlet's relationship to Ophelia, characterised by his distancing from her. According to Lacan, Hamlet's repeated scornful reference to childbearing, the scene when Hamlet wants to place his head between Ophelia's legs and the flower related to mandrake accompanying Ophelia's drowning, indicate that, at this state, Ophelia takes the place of the phallus as "the very symbol of the rejection of (Hamlet's) desire".[14] Ophelia's funeral ritual is maimed and, although in the graveyard scene she somehow regains her importance for Hamlet or, in Lacan's words, Ophelia's death brings: "something like a reintegration of the object *a*, won back here at the price of mourning and death", there is no real mourning, because there cannot be satisfaction of the dead in the world without a context for mourning.[15]

Even Laertes' ostentation as an attempt to mourn Ophelia's death, just as his revenge for his father's murder, is ironic, for it is nothing more than a tool in Claudius's hands for attaining his murderous plot. Being the chief mourner in the play who is dispossessed from his role, Hamlet has an extremely ambivalent attitude to Laertes' attempt to mourn Ophelia's death. On the one hand, he himself wants to mourn and therefore outmourn Laertes, and on the other, being unable to bear Laertes' ostentation, he leaps into the grave interrupting Laertes's attempt to mourn, just as he aborts the

14 Lacan, "Desire and the Interpretation of Desire in *Hamlet*", p. 36.

15 Ibid, p. 24.

performance of mourning in the play-within-the-play. Laertes is the one who brings an end to Hamlet's long way to mourning and accomplishment. He symbolises Hamlet's mirror-image, his better double. Hamlet's unconscious is again projected through his words when, in the duel at the end of the play, he says: "I'll be your foil, Laertes." The meanings of the word "foil" intersect. The noun "foil" signifies not only the fencing foil, but also, according to the Old French meaning of the word, some sort of a jewel case, whereas the verb "to foil" means to thwart, to prevent something. Therefore, Hamlet is here to fight Laertes, to pit himself against his other half, but at the same time, being inferior to his rival, he is also here to depict even more brightly Laertes' brilliance. At the hour of death, the two halves can finally accomplish unity and reconciliation dying by the same foil, which also brings death to Claudius.

It seems that the lethal foil permeates Hamlet's whole way to mourning and accomplishment, paved by his "foiled" attempts and failures. At the end of his way Hamlet encounters death. Death, bringing catharsis, is also the end of the way to mourning in the whole play, for only in death can life be genuinely renewed through the tragic resolution of the enigma of the play. Mourning symbolically comes to fruition through Horatio's bereavement and the funeral ritual conducted by Fortinbras, but not until the final hour, the hour of Hamlet's death. Until then the void in the real remains "unpatched":

> Imperious Caesar, dead and turned to clay,
>
> Might stop a hole to keep the wind away;
>
> Oh, that that earth, which kept the world in awe,
>
> Should patch a wall t'expel the winter's flaw!
>
> (Act V, Sc. II)

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