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Evolution of the Legal Framework of Economic Assistance and Social Protection in Albania during the Last Three Decades (1992-2022)

阿尔巴尼亚经济援助和社会保护法律框架近三十年的演变（1992-2022）

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Abstract:

The purpose of this study is to conduct a comprehensive analysis of the evolution of Albania's legal framework governing economic assistance and social protection from 1992 to 2022. The study further aims to evaluate the impact of legislative reforms on beneficiaries of these social protection measures, thereby providing insights into the broader socio-economic transformation that has taken place in Albania during this period.

Methodology: A qualitative legal analysis was conducted using Albanian legislation, including laws, decisions, and by-laws related to economic assistance and social protection. The study systematically reviewed over 50 legal acts and amendments adopted between 1992 and 2022 to identify their key changes and impacts.

Main Findings: The findings reveal a significant evolution from fragmented legal norms towards a comprehensive framework, expanding beneficiary categories, simplifying application processes, and increasing financial coverage. The reforms have led to measurable improvements in the socio-economic conditions of vulnerable groups.

Keywords: Albania, economic assistance, legal framework, social protection

关键词: 阿尔巴尼亚、经济援助、法律框架、社会保障

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Applications: This study provides insights relevant to scholars and policymakers working in the fields of social protection, public policy, and law reform in post-socialist economies. It offers empirical data for the assessment of social welfare legislation and for guiding future reforms in transitional economies.

Novelty/Originality: This is the first comprehensive longitudinal analysis of Albania's legal framework for economic assistance and social protection, spanning three decades. By quantifying the extent and direction of legal changes, the study offers a novel perspective on Albania's social policy evolution during its transition to a market economy

摘要：

研究目的：

本研究旨在分析 1992 年至 2022 年间阿尔巴尼亚经济援助和社会保障法律框架的演变。研究重点在于评估立法变革如何影响社会保障受益者，并提供该国更广泛社会经济转型的深度见解。

研究方法：

本研究采用定性法律分析方法，系统审查了 1992 年至 2022 年期间阿尔巴尼亚与经济援助和社会保障相关的法律、决议和附属法规，共计超过 50 项法律文件及其修正案，以识别其关键变革及其影响。

主要发现：

研究结果表明，法律框架已从零散的法律规范演变为综合性体系，扩大了受益者范围，简化了申请流程，并提高了财政保障水平。改革带来了弱势群体社会经济状况的可衡量改善。

应用价值：

本研究为研究社会保障、公共政策和后社会主义经济体法律改革的学者与决策者提供了有益的见解。研究结果为社会福利立法的评估及转型经济体未来改革提供了实证数据支持。

创新性/独创性：

这是首个覆盖三十年跨度的阿尔巴尼亚经济援助和社会保障法律框架的综合纵向分析。通过量化法律变革的范围和方向，本研究为阿尔巴尼亚向市场经济转型中的社会政策演进提供了新视角

1. Introduction

Economic assistance and social support constitute two critical pillars of contemporary social and economic policy that aim to mitigate poverty and unemployment among vulnerable populations. These concepts align closely with the broader framework of social protection, which encompasses a range of interventions designed to shield individuals from the adverse impacts of economic and social shocks including job loss, health crises, and other emergencies.

The relevance of social protection and economic assistance has grown markedly since the onset of industrialization in the 19th century, a period that catalyzed the emergence of formalized social security measures in industrialized nations. A seminal example of this historical development is the Bismarckian state social insurance system introduced in Germany in the late 19th century. This pioneering model laid the

groundwork for modern health insurance and unemployment benefits, establishing a precedent for integrating economic security mechanisms into national governance structures.

In the current era, characterized by persistent socioeconomic inequalities and frequent crises, the significance of social protection and economic assistance systems has become even more pronounced. These systems are not only essential for immediate relief in times of individual hardship, but also for fostering inclusive and resilient socioeconomic development. By providing a safety net and enhancing social cohesion, well-designed social assistance policies can contribute to sustainable growth and social stability.

Consequently, examining the historical evolution and contemporary implementation of social protection and economic assistance policies is crucial for understanding their roles in promoting economic security and equitable development. Such an analysis is particularly pertinent in light of global policy initiatives advocating for

inclusive growth and poverty reduction, underscoring the enduring relevance and transformative potential of social protection in modern policy agendas (Esping-Andersen, 1990).

The integration of economic aid and social security into national policies is closely linked to the promotion of human rights and equality opportunities for citizens. According to the United Nations Universal Declaration on Human Rights (1948), everyone has the right to adequate food, clothing, housing, medical care, and security against unemployment, sickness, disability, widowhood, old age, or other lack of livelihood in circumstances beyond their control.

Legislation on economic support programs and methods varies widely across nations. In highly industrialized countries, such as those found in Western Europe, protective systems are well outlined and financed through extensive networks involving insurance covers and welfare schemes that are easily accessible by almost all citizens within their territory (Gould, 1993). Conversely, low-income countries face serious challenges in developing effective systems for social protection because of scarce financial resources (Bastagli, 2013).

In Europe, the European Union has been instrumental in driving social protection and economic assistance policies through its directives and regulations, to ensure that minimum standards of protection are achieved for citizens. The Union's cohesion policy seeks to reduce regional disparities and facilitate economic and social development in the most structurally weak regions (European Commission, 2022).

The Balkan region shows varying degrees of development with regard to social protection and economic aid because some countries have made great strides while others are still grappling with the challenges posed by these aspects of public affairs administration. For instance, Albania and Kosovo have taken measures aimed at improving their systems of social security but face significant hurdles regarding administrative capacities as well as financing (Matković & Stubbs, 2020; World Bank, 2022; Lelkes, 2006).

Economic assistance and social protection are important aspects of a country's policies that aim to ensure an adequate standard of living as well as fundamental rights for all citizens. These measures are instrumental in protecting people from poverty and economic vulnerability while playing a role in fostering fairness and equality among the populace. However, effective implementation requires constant reaffirmation by governments and international institutions to ensure that all population groups can access social protection and economic assistance can be accessed by all population groups (SDGNODE, 2024).

In Albania, a number of laws and by-laws have changed considerably over time, regulating these policies on economic aid and social protection, which aim to aid citizens and families facing financial

constraints. Through the evolution of the laws governing this issue, the government is trying to counteract the problems of unemployment, poverty, and social exclusion that arise within its structural changes concerning the economy and society. However, information on the evolution of these policies and the relevant legal framework in Albania is limited. In this context, the purpose of this study is to analyze the changes in the legal framework for economic assistance and social protection in Albania from 1992 to 2022 and to assess the impact of these changes on the beneficiaries of economic assistance and social protection in Albania.

2. Methodology

This study is based on a documentary analysis of the Albanian legislation on economic aid and social protection from 1992 to 2022. During this period, the laws, decisions of the Council of Ministers (DCM), and other by-laws were thoroughly checked to determine significant changes that occurred. The legal framework of economic assistance and social protection was selected as the object of this study because of its central role in addressing poverty, inequality, and social exclusion in Albania during its transition from a centrally planned to a market-oriented economy. Additionally, this framework has undergone continuous changes in response to both internal socioeconomic pressures and external requirements, such as alignment with European Union standards, making it a particularly relevant and dynamic area of research. The Official Gazette of the Republic of Albania, as well as official websites for various institutions, such as the Ministry of Finance and Economy, Ministry of Health and Social Protection, and the Center for Official Publications, were used to collect data.

The following steps were undertaken using a qualitative content analysis approach, which allowed for the systematic examination, classification, and interpretation of legislative documents to identify thematic patterns and structural changes over time: a) Collecting documentation—in the framework of this study, it was necessary to gather together the major legal documents relating to economic assistance and social protection in Albania. These include legal documents such as laws, DCMS, instructions, and guidance, as well as any other by-law provisions that are adopted during the scrutiny period, with the main source of information being the Official Gazette of the Republic of Albania. b) Study period determination – We limited our research to the 1992–2022 timespan in order to capture all the main changes and evolutions in economic assistance and social protection legislation from the start of the transition following the post-communist era in Albania until 2022. This period captures three decades of struggle and effort toward the market economy and a consolidated democracy. c) Categories of reviewed documents: To create a coherent structure for further analysis that aimed to understand the reasons for potential legal changes in

these areas as well as their impact on target population groups and policy implementation, all legal documents were classified into specific categories based on their subject matter: economic assistance, social protection, beneficiary categories, application and verification procedures, etc. d) Analysis of legal documents: The analysis of legal documents identified in the framework of this study involved the identification of beneficiary categories, eligibility criteria, application/verification procedures, and related improvements. Based on these steps, the relevant legal documents were compared to determine various changes that have taken place within the legislative framework governing economic aid and social protection in Albania during this period, hopefully highlighting the reasons behind such changes as well as their impact.

This methodology allowed for a comprehensive analysis of how the legal framework for economic assistance and social protection has evolved over the years in Albania, revealing all key developments with their related implications.

3. Results

This section shows the main changes in the legal framework of economic assistance and social protection in Albania during the period 1992-2022, based on a review and analysis of the legal documents identified in the framework of this study.

3.1. Legal Framework for Economic Assistance (1992-2021)

Economic aid in Albania went through several important stages of development at the beginning of the 90s (Mema, 2023). Over time, legislation has undergone major changes to improve and make the aid system more effective for citizens in need.

Law No. 7710, dated May 18, 1993, established the foundations of economic assistance and social care in the country (Mema, 2023). This law created a structure for assistance and care for families and individuals without sufficient income. According to this law, economic assistance is a periodic payment provided to poor families and persons in need, including various public social care services. This law defined beneficiary categories, such as families with no income or with insufficient income, and excluded some specific categories, such as Albanian citizens residing abroad and refugees.

Further changes were made to Law no. 9355 on March 10, 2005, which improved and expanded the categories of beneficiaries and application procedures (Mema, 2023). This law included new categories, such as orphans over 25 years old and parents with more than two children born at the same time who belonged to needy families. In addition, the law emphasized the role of local authorities in the administration and distribution of economic assistance, thus improving the efficiency

and fairness of the system.

Law no. 57 of July 18, 2019, on social assistance represents a stage of further consolidation of the economic assistance system (Mema, 2023). This law aimed to provide more sustainable and fair support to families and individuals in need, increasing financial coverage, and defining clearer and more transparent criteria for beneficiaries. These changes included a more structured approach to identifying and verifying the needs of beneficiaries, thus improving the effectiveness and transparency of the system. The law also includes specific measures to protect vulnerable groups and ensure that economic aid reaches those most in need.

3.2. Legal Framework for Social Protection (1993-2022)

Social protection in Albania has undergone some important changes since the 1990s, with the aim of improving the system of care and support for vulnerable groups.

Law no. 7703 of May 11, 1993, established the foundations of the social protection system, including protection for the elderly, the physically and mentally disabled, and orphans (Kola, 2023). This law defines the structure and functions of public and private institutions of social care, thus establishing a framework for the provision of social care services. The law addressed the need for an organized system of care that covered all the necessary categories, providing comprehensive and sustainable support.

The changes made by Law No. 9355 on March 10, 2005, further improved the structure and provision of social care services (Kola, 2023). This law emphasized the importance of providing direct and effective assistance to vulnerable groups, including new categories of beneficiaries, and improving the application and verification procedures. The law also strengthened the role of local and central authorities in the administration of aid and social care services, ensuring better coordination and fairer distribution of resources.

Law no. 121 of July 21, 2016, on social care services brought further changes aimed at improving ways of ensuring and providing social care services (Kola, 2023). This law addressed the need for a more structured and effective system of social care, including mechanisms for the provision and control of services as well as the roles and responsibilities of institutions at the central and local levels. The law provided an increase in institutional capacity and an improvement in the quality of social care services.

The changes made by Law no. 47 of April 28, 2014, and other laws approved during the period 2016-2022, improved the transparency and effectiveness of the social assistance and care system (Kola, 2023). These changes included improvements in identifying the needs of beneficiaries, expanding the coverage of social services, and improving the application and verification

procedures. Laws passed during this period aimed to ensure that aid and support reach those most in need, thereby improving the quality of life of vulnerable groups and strengthening social protection in the country.

In general, changes in the legal framework for economic assistance and social protection have had a significant impact on improving the living conditions of individuals and families in need. These changes have enabled easier access to economic assistance and social services, expanded coverage, and improved the transparency and effectiveness of the system. However, effective implementation remains a challenge because of the lack of necessary resources and capacities at the local level, and there is still room for further improvement to ensure sustainable and equitable support for all citizens in need.

4. Discussion

The findings show a positive evolution in the legal framework for economic assistance and social protection in Albania during the period 1992-2022. This evolution reflects the continuous efforts of the Albanian government to improve support for families and individuals in need, following trends and international standards of social protection.

4.1. Reasons for Positive Trends in the Evolution of the Legislation Framework

One of the major reasons for the positive trends in the evolution of legislation on economic assistance and social protection in Albania is increased awareness of the importance of social assistance in democratic societies. After leaving behind its communist past, Albania has gone through significant economic and societal changes that have necessitated the development of social policies that can respond to people's changing needs. Additionally, the European integration process demanded harmonization with EU standards, including those related to social protection.

The laws passed during this period were intended to expand the categories of beneficiaries and improve the application and verification procedures to ensure that aid reaches those most needed. For example, Law no. 9355 of 2005 and Law no. 57 of 2019 have made significant improvements in the structure and efficiency of the economic assistance system, aiming at more sustainable and transparent support for beneficiaries.

4.2. The Importance of Improvements in Legislation for Groups in Need

Such legislative advancements are highly relevant to marginalized groups within the country. By expanding the categories of beneficiaries, enhancing application processes, and increasing financial coverage, many efforts have been made to improve the life conditions of individuals and families. These developments have contributed much to tackling poverty issues while

ensuring the accessibility and effectiveness of financial aid with other types of social services.

Inclusion of other target groups such as those over orphans aged 25 years and parents with many children has ensured greater attention toward these vulnerable sections within our society, among others. Moreover, favorable changes have occurred in the application and verification procedures, consequently making the system more equal in terms of aid allocation.

4.3. Comparison with Similar Legislation Trends in the Region

Compared with other countries in the region, Albania has followed a similar path to improve its social protection system. Many Western Balkan countries have undertaken similar reforms to harmonize their legislation with European standards and to improve support for groups in need. For example, North Macedonia (World Bank, 2022a, 2023) and Serbia (World Bank, 2022b) have undertaken significant reforms in their social protection systems over the past few decades, improving application procedures, expanding the categories of beneficiaries, and increasing financial coverage.

A successful example is Croatia, which, after joining the EU, has significantly improved its social protection system, providing greater support for vulnerable groups and harmonizing its legislation with EU directives. These efforts have helped reduce levels of poverty and social exclusion in the country (Brodmann et al., 2023).

Reforms in North Macedonia, Serbia, and Croatia have shown that improvements in application procedures, the expansion of beneficiary categories, and increased financial coverage are critical to the success of social policies. Albania can learn from these countries' experiences to ensure that future reforms are effective and sustainable.

This study findings can be applied in several ways. Policymakers and public institutions responsible for social protection can use this analysis to evaluate the impact and gaps of past reforms and guide the design of future legislation. The structured timeline and categorization of legal changes offer a tool for identifying policy trends and assessing the effectiveness of implementation mechanisms. Moreover, this study provides a regional reference point that may benefit other Western Balkan countries undertaking similar legal and policy transformations in social protection.

4.4. Challenges and Prospects for the Future

Although considerable progress has been made, the effective implementation of these laws remains a challenge because of the shortage of local resources and limited capacity. Much more needs to be done for aid and support to reach every citizen in need. Therefore, it is necessary to increase funding availability by strengthening institutional capacities for the successful implementation of social policies as well as improving coordination between different levels of government.

Going forward and future reforms imply that there should be more concentration on how the best social safety net systems can address the remaining gaps or problems identified so far. To illustrate, Albania may consider pursuing further improvements in its social protection programs following the most up-to-date global standards with respect to ensuring stability and fairness to all vulnerable groups in need. This includes increasing support for the most vulnerable groups, improving beneficiary identification and verification mechanisms, and ensuring that aid reaches all the citizens in need. This will require a continuous commitment from the government and relevant institutions as well as regular monitoring to assess the effectiveness of the implemented policies.

5. Conclusion

Changes in the legal framework for economic assistance and social protection in Albania have had a significant impact on the improvement of living conditions for many individuals and families in need. While great progress has been made, significant challenges remain, which require further improvements to ensure sustainable and fair support for all citizens in need, such as strengthening the implementation and monitoring of legislation and increasing the capacity of responsible institutions. Continuing reforms and learning from the experiences of other countries in the region are critical to the future success of social policies in Albania.

This study contributes to the literature by offering the first comprehensive longitudinal analysis of Albania's legal framework on economic assistance and social protection from 1992 to 2022. While the existing literature has addressed broader social policy reforms, this work specifically traces legal developments and their implications for implementation and policy. It fills a significant research gap and provides a foundation for comparative studies in the Western Balkans, particularly for countries undergoing EU-aligned reforms in the field of social protection.

Based on these findings, we recommend strengthening implementation mechanisms and institutional capacities, and we also call for future research to assess the real-life impact of reforms on specific vulnerable groups.

6. Limitations and Further Study

This study has some limitations. First, it is mainly based on an analysis of legal documents and theoretical comparisons. The lack of empirical data and detailed statistics on the effects of legal changes may limit the assessment of the true impact of reforms. Second, while the study includes comparisons with several countries in the region, it could benefit from a broader analysis that includes other countries with similar economic and social structures, helping create a more complete context for evaluating reforms. However, such a detailed

assessment was beyond the scope of this study. Third, the use of only legal document analysis and theoretical comparisons may be a limitation; the study could benefit from a more diversified methodological approach, including interviews with experts, surveys of beneficiaries, and analysis of concrete cases, to have a wider and deeper evaluation. Finally, the study could benefit from a more detailed analysis of the impact of reforms on specific groups, such as women, children, and persons with disabilities, helping identify specific challenges and opportunities for these groups.

However, the current study has several strengths, including a detailed review of key legal documents covering the period 1992-2022, thus providing a solid basis for understanding the evolution of the legal framework for economic assistance and social protection in Albania. In addition, comparison with other similar countries in the region provided a broader context and enabled the assessment of Albanian reforms in a broader regional and international context. Moreover, the study identified concrete improvements in the application and verification procedures as well as the expansion of the categories of beneficiaries, evidencing that these practical changes have a direct impact on the lives of Albanian citizens. Finally, a strong point of the study is the identification of implementation challenges and suggestions for further improvements in social protection systems in Albania.

Author Contributions

Conceptualization, O.P.; methodology, O.P. and H.Z.; formal analysis, O.P.; investigation, H.Z.; resources, H.Z.; data curation, O.P.; writing—original draft preparation, O.P.; writing—review and editing, O.P. and H.Z. All authors have read and agreed to the published version of the manuscript.

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Conflicts of Interest

The authors declare no conflicts of interest.

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