

NON- PECUNIARY DAMAGE AND HIS REWARD SEEN ON THE THEORETICAL AND PRACTICAL ASPECTS

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Abstract

Non-pecuniary damage and his reward are encountered more frequently lately and we realize every day how wide is this institution and how difficult is to measure it in a final reward. Our legislation, otherwise than in practice, can be interpreted broadly and creates the possibility that the Albanian citizens can pretend or claim unknown types of non-pecuniary damages, that European citizens have already recognized and claimed from decades. For this reason, lawyers when seeking the compensation or even when the courts decide, should conclude in a fair wage and the full launch of more objective criteria. The criteria that we brought through this paper, is used and intended to come to the aid, even for a little bit, to this category of professionals. The paper will be divided into four key points. First, we will address a historical overview of the subject and then look on the comparative non-pecuniary damage and his reward. Looking at the evolution of non-pecuniary damage in our legislation, we will in some way understand why other countries have extremely developed this institute. Two other section issues, will refer to the jurisprudence and a comparative view of our and with the neighboring countries legislation, in order to see the similarities and differences with this institution in our own right. The methodology used in this paper is comparative, which compares our legislation in a chronological extension of time. The research question that accompanies this paper is "How much and how is applied our legislation, regarding non-pecuniary damage, what do the theory and practice reflect?"

Keywords: *non-pecuniary damage, legislation, decision execution, interpretation.*