

TRENDS OF ENVIRONMENTAL CRIME IN KOSOVO AND CHALLENGES ON REDUCING ITS IMPACT

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Abstract

Environmental crime has been developing globally in recent decades due to high income generation. Yearly income from environmental crime globally is estimated to be about 31 billion US dollars and in this regard five areas of crime are leading: illegal waste trading, illegal trade of plant and animal species endangered, illegal fishing, illegal trade of ozone depleting substances and illegal logging. Republic of Kosovo as a new and vulnerable country can't be exception from these trends. EC Progress Reports on Kosovo, in the field of environment reports a slow but sure progress in terms of drafting the legal framework for environmental protection. But in all reports since 2008 until 2013 issues of law implementation and enforcement came out as a weakness. The 2011 EC Progress Report points out that "Environmental Crime Directive was partially transposed" by which is meant the introduction of a special chapter in respect of environmental crime in the Criminal Code of Kosovo. The Criminal Code of Kosovo, under the provisions of Section 121-145 on terrorism, "terrorism, terrorist act or act of terrorism" is considered the performance of one or more criminal offenses among which also the pollution of drinking water or food, pollution or environmental degradation in the violation of Articles 270 and Chapter XXVI of the Code. The Criminal Code of Kosovo lists number of offenses against the environment, animals, plants and cultural facilities such are: pollution, environmental degradation or destruction, keeping illegal substances and hazardous waste, damaging facilities and equipments for environmental protection, contamination of food and water of animals, destruction of forests and theft, illegal hunting, trade of wildlife trophies, selling goods or extraction of natural, plant or specially protected animal outside the country etc. Law on protection from ionizing, non-ionizing radiation and nuclear safety has an article on environmental crime offences. All these provisions are followed by sanctions starting from 6 months to 12 years of imprisonment. There are few cases identified to fall under the provisions of environmental crime that are presented by this paper such are: massive shooting of animals in Deçani area, illegal constructions in Prevala and Germia protected areas, import and transport of hazardous substances etc. A special police unit is established to deal with environmental crime activities. Anyway we found that some of the offenses listed in international environmental crime treaties still are missing in Kosovo legislative system.

Keywords: *environmental, crime, provisions, offenses, code*