

# From Policy to Practice

## The Challenge of River Pollution and Waste Management in Kosovo

September 2023







**FROM POLICY TO PRACTICE  
THE CHALLENGE OF RIVER  
POLLUTION AND WASTE  
MANAGEMENT IN KOSOVO**



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# Introduction

The aim of this paper is to conduct an analysis of the legal framework cases of river pollution, on waste and court decisions on environmental crimes in Kosovo. Kosovo, as a country with aspiration to be part of the European Union in the future, has taken as an obligation of itself to have a legislation that is in line with EU legislation and EU directives. Legal framework includes a number of official documents, laws approved by different state institutions and levels which regulate this complex topic.

Laws from different ministries which regulate directly or indirectly the rivers, waste management and natural monuments are approved by the national assembly. While the central level is mostly in approving the strategy, legislation and monitoring the implementation of these, it remains at the local level the implementation on the field.

While the legal framework plays an important role it is the reality on the ground that shows how the situation is. Examples in this report show the problem of river pollution and the court decision on environment offenders.

# Executive Summary

## Research Methodology

Protection of natural monuments, rivers and waste management are key issues for Sustainable Environmental Management. So far, the Ministry of the Ministry of Environment, Spatial Planning and Infrastructure has established the needed legal structure for these topics.

The field research was conducted for rivers Drini i Bardhe, Mirusha and Ibar, as well as an analysis of the court decisions on a few municipal courts. The research was done through video recording of the rivers, as well as through discussion with institutional representatives from central and local level, experts, citizens and companies around these rivers. This two research shows that the situation on the ground is far away from being in compliance with the European standards, as well as in disproportion with the current legal framework in Kosovo.

A quality research was used to assess the status of waste management in Kosovo. The goal of this desk research is to provide a comprehensive overview of the available information and provide insights that can support project decision-making or further research. The research secondary up-to-date information on waste management in Kosovo and this was implemented through desk research, through which secondary data were collected including publications, studies, initiatives, strategies, policies, programs, and relevant legislation. During the desk research, data, documents, and reports from secondary credible sources were reviewed in order to establish an understanding of the legal framework in Kosovo on waste management. These sources included reports published by government institutions, International organizations in Kosovo, official statistics and data published by official agencies were also reviewed, analyzed and tabulated.

## Key Findings

1. The illegal exploitation of gravel, the discharge of sewage from citizens and businesses into the rivers without being treated in plants, the numerous wastes in the river courses, and the inert ones along their banks, are among the main factors that are continuing the degradation of main natural assets of Kosovo.
2. The biggest pollution of this river is caused by the discharge of sewage from houses and businesses, the 'islands' of plastic bags and other waste.
3. The villages around rivers still face the lack of a sewage network.
4. Disposal in sanitary landfills remains a major issue nationally.
5. The budget to the water sector is insufficient and environmental and climate concerns are not mainstreamed into other policies.
6. Kosovo lacks sufficient human, administrative and capital capacities to implement EU water, environmental and climate standards.
7. Lack of action towards a circular economy and shortcomings in data collection and reporting continue to be challenging.
8. Judicial penalties are too low and do not produce the desired effect.
9. Lack of alternative waste management technologies.
10. Challenging cooperation/communication between central and local governments on responsibilities and actions.



# Background

The majority of Kosovo's water resources are internal, with the exception of the upper part of the Ibri River which is in Montenegro and flows into the Gazivoda Lake. Drini River Basin is one of four river basins in Kosovo. It is situated in the Western Part of the country, between Mokna Mountains in North and Sharr Mountains in the South. It is the largest river basin and covers an area of 4,660 km<sup>2</sup> or around 42.8% of the territory of Kosovo, and it is the richest river basin in Kosovo in terms of surface and groundwater perennial availability. Peje, Gjakove and Prizren are the main municipalities in the basin, with 30% of the country's total population. Surface water and groundwater quality is affected by pollution from untreated wastewater and waste disposal from municipalities and industries.

Water and the environment in Kosovo face severe challenges: most pollution levels are significantly above EU levels and a large portion of the population is not connected to either supply networks or sewerage networks. Wastewaters of urban and industrial origin are discharged directly to the rivers without prior treatment. As such, water in most rivers in Kosovo exceeds significantly the EU water quality limits.

When it comes to the waste disposal, which is one of the main challenges, most of the baseline reports concentrate on municipal solid waste (MSW). Data on MSW are available and although still not comprehensive, are sufficient to set baselines and targets. The most recent official statistics on quantities of municipal solid waste are from 2017. Key baseline statistics are represented below:



**580,000 tons**

of MSW-is estimated as being generated.

**420,000 tones**

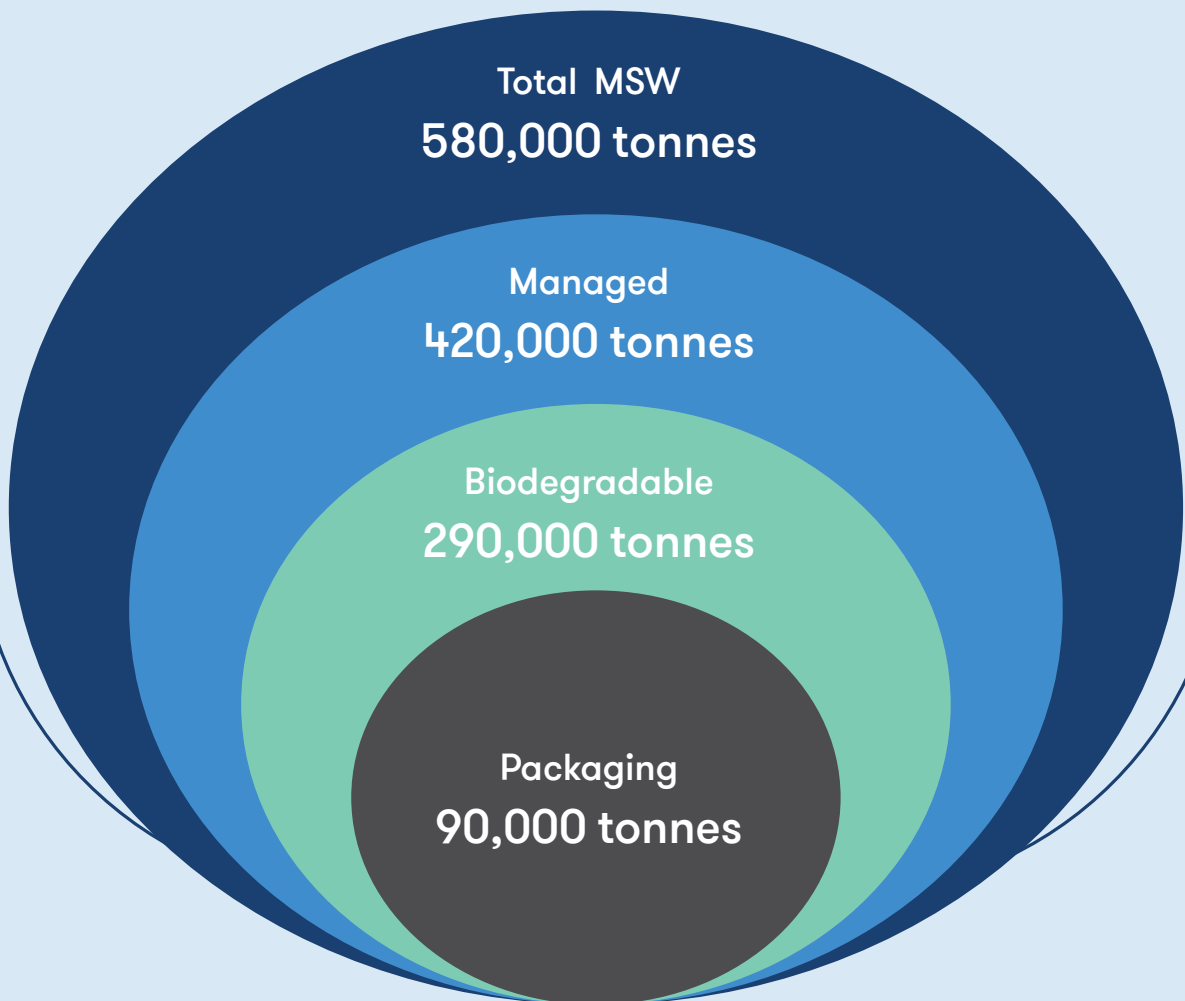
(74% of total MSW) is estimated as being managed (collected and disposed).

**290,000 tones**

(50% of total MSW) is estimated to be biodegradable municipal waste.

**90,000 tones**

(15% of total MSW) is estimated to be packaging (paper, plastic, glass, metal).



26%  
Services



47%  
Households

19%  
Mining and  
quarrying

1%  
Other Activities

7%  
Manufacturing

Other waste fractions, in particular different sources and types of industrial waste have not been fully studied and consequently data is severely lacking. Little is known about the nature and quantities of other non-municipal waste (eg. from industry, mining etc) being generated across Kosovo.

Official statistics reported to Eurostat 1 million tonnes of total wastes being generated in Kosovo. There were some gaps in this data including construction and demolition waste, and waste from power plants. Following a data updating exercise conducted during preparation of this Strategy a revised estimate of the total quantity of generated waste is 1.4 million tones.

The proportions generated by the four main sources of waste are illustrated in the following pie chart.

15%  
Mining & quarrying



43%  
Municipal

13%  
Construction &  
demolition

29%  
Industrial

With the exception of municipal waste, these are ballpark estimates that are not yet derived from robust data collection and reporting systems. The estimates will be updated in subsequent Strategy reviews once improved data sets become available.

# River Pollution and Violation of Natural Monuments

This section aims to address the issue of river pollution and the violation of natural monuments in Kosovo in a manner suitable for a policy document. However, it is crucial that it is treated with objectivity and clarity, as this is one of the key challenges to be addressed in our environmental policies.

Rivers in Kosovo continue to face significant pollution and degradation, as state authorities have failed to protect and penalize those causing harm. Their pollution results from several factors, including illegal riverbed exploitation, untreated sewage discharge by citizens and businesses, waste accumulation in rivers and their tributaries, as well as the destruction of their banks.

The Kosovo Hydrometeorological Institute has confirmed the level of river pollution in the country. According to this institute, the majority of rivers in Kosovo are in poor or very poor condition, including their physical quality and contamination with hazardous materials and chemicals from industries and other sources.

Among the factors contributing to river pollution is also the extraction of gravel and the lack of riverbed and bank rehabilitation. Even the White Drin River, one of the most beautiful rivers in Kosovo, is not exempt from pollution. Residents of this area testify to its continuous degradation.

This type of degradation is not only harmful to river biodiversity but also to the health of communities living nearby. Untreated sewage discharge and pollution from illegal gravel exploitation are alarming, and authorities must take immediate action to halt this trend.

Additionally, it is essential to emphasize that some businesses near rivers have not established wastewater treatment plants, negatively impacting the quality of their waters and the surrounding environment. In this context, authorities must ensure that laws and regulations regarding wastewater treatment are rigorously enforced.



Rivers in Kosovo continue to face significant pollution and degradation, as state authorities have failed to protect and penalize those causing harm.

Furthermore, there is an issue of plastic bag distribution in natural environments, including rivers. This is a significant concern for Kosovo's environment and natural monuments. The community needs to be educated and take measures to prevent further environmental pollution with plastic bags, which are harmful and persist in the environment for many years.

In this context, it is essential to mention that while efforts are underway to limit the use of plastic bags in Kosovo, a recent administrative directive has been approved that bans plastic bags from 0 to 25 microns and imposes fees for bags from 25 to 50 microns. However, there have not yet been sufficient measures taken to control and regulate the issues of river pollution and environmental destruction in general.

Moreover, it is important to highlight that illegal gravel exploitation is a significant concern that needs to be addressed. A high number of reports of illegal sand and gravel export indicate a high level of unlawful activity in this field.

In this context, authorities must take measures to stop illegal gravel exploitation and regulate the sector in accordance with relevant laws and regulations. Improving law enforcement and imposing stricter penalties for those who violate environmental laws are crucial steps to address this problem.

In conclusion, it is imperative that policies and policy measures in Kosovo focus on the protection and preservation of the country's natural environment, including rivers and natural monuments. This requires close collaboration between central and local authorities, local communities, and environmental organizations to ensure that Kosovo has a clean and healthy environment for the future.

## Illegal use of limestone

The uncontrolled sand and gravel mining by illegal miners has resulted in the complete damage of river beds, turning them into small ponds with destroyed biodiversity. Excessive and uncontrolled exploitation of the river has disrupted the ecological balance of nature — specifically damaging the river bed — which increases the risk of floods during atmospheric precipitation. Moreover, the pollution from the dust of the gravel processing machinery has destroyed the surrounding flora.

Around 1,100 hectares of Kosovo rivers are degraded areas. The most damaged river is the White Drina, the longest in the country flowing throughout the entire Dukagjini region; then comes the Lumbardhi flowing in the municipality of Peja and Erenik in Gjakova.

Courts have also punished people who used limestone illegally, and for this criminal offense the punishments were fines. The Basic Court of Ferizaj had sentenced a person with a fine of 1 thousand euros for illegal use of limestone, even though the same was a recidivist. When sentencing this sentence, the court reasoned that the goal of the sentence was achieved as it was proportionate to the criminal offense and the behavior of the defendant. In the court's reasoning, it is stated that the sentence imposed is adequate to the intensity of endangering the protected values, noting that the sentenced decision will influence the accused and other persons to avoid committing criminal offenses in the future and the obligation to respect the law is strengthened. The court gave all this reasoning when sentencing the defendant, who is a recidivist. Even in the verdict, it was concluded that the same person was the perpetrator of six other crimes, including the criminal offense of illegal exploitation of limestone. So, the court has concluded that the defendant is a recidivist and has committed the same criminal offense and has again sentenced him to a fine of 1,000 euros.

# Waste management in Kosovo

Overall, the waste management system in Kosovo aims to reduce the amount of waste sent to landfills, promote the reuse and recycling of waste, and ensure the safe and sustainable management of waste in the country. However, challenges remain in achieving these goals, including a lack of infrastructure, insufficient funding, and low levels of public awareness and participation in waste management practices.

Waste management in Kosovo is regulated by Law No. 64/L-060 and supporting regulations. Despite increased activity among waste management stakeholders, progress is limited without proper implementation of legal requirements and investment in concrete projects for improvement.

Data on the entire waste cycle, from production to final treatment, shows improvement, but significant challenges persist. Disposal in sanitary landfills remains a major issue nationally. Lack of action towards a circular economy and shortcomings in data collection and reporting continue to hinder progress. Despite these limitations, the reported data has undergone verification.

Our analysis of municipal waste management, including special waste such as animal, medical, construction, and bulky waste, shows limited treatment capacities by the municipalities. Improving waste management is a challenge and requires cooperation between municipalities and the central government, as well as increased investment through partnerships with donors to realize sustainable waste management projects.

The problems in the municipal solid waste sector are widely understood and have been chronicled in several reports and publications over recent years. These include the Municipal Waste Management in Kosovo, Status Report (2018), The State of Waste and Chemicals (2014) and the Report on Environmental Hotspots (2011) published by KEPA. Waste collection service coverage is currently around 74%, and gradually increasing.

Kosovo is facing a critical situation with its landfills nearing capacity and not meeting EU Landfill Directive standards. An immediate priority is the development of modern waste management facilities and upgraded collection systems, including separate collection for various waste types, to prevent further degradation of the environment and public health.

A programme of investment has been formulated and included in the Single Project Pipeline.

Single Project Pipeline		Forecasted budget
1	Construction of transfer station and centre for separation of waste (Klinë, Istog, Skenderaj, Novobërd)	2,010,000
2	Construction of transfer station and centre for separation of waste (Klinë, Istog, Skenderaj, Novobërd)	5,255,292
3	Construction of the centre for selection of waste and centre for composting in Prizren	5,254,000
4	Construction of the centre for separation of waste in Peja	3,495,708
5	Construction of facilities for storage of hazardous waste	12,000,000
6	Improvement of technical and operating state in the landfill of the region of Prishtina in Mirash - Obilic	3,220,000
7	Upgrading and Expansion of the Existing Landfill in Peja	3,850,000
8	Upgrading and Expansion of the Existing Landfill in Dragash	2,295,600
9	Construction of centres for the treatment of construction and demolition waste of buildings	7,900,000
<b>Total</b>		<b>45,280,600</b>

Improvements in the elimination of landfills have been observed in municipalities with increased enforcement through inspections and littering prohibition notices. However, there is limited progress towards a circular economy

and limited access to source-separated waste infrastructure. Despite regional disparities in waste management, progress is being made year over year in improving the environmental impact of improper waste management.

# Treatment of medical waste in Kosovo

The management of medical waste in Kosovo is regulated by the Ministry of Environment and Spatial Planning, which is responsible for developing and implementing regulations on waste management in the country. Medical waste in Kosovo is classified as hazardous waste and is subject to specific management requirements, including proper collection, transportation, and disposal. However, it is common for medical waste to be mixed with other types of waste, which can pose a risk to public health and the environment.

In order to address these challenges, the Ministry of Environment and Spatial Planning has established a waste management plan and a strategy for the safe disposal of hazardous waste, including medical waste. The plan includes measures to improve the management of medical waste, such as increasing the capacity of health care facilities to properly handle and dispose of medical waste, and improving the collection and transportation of medical waste to ensure its safe and responsible disposal.



# Treatment of industrial waste in Kosovo

The treatment of industrial waste in Kosovo is regulated by the Ministry of Environment and Spatial Planning, which is responsible for developing and implementing regulations on waste management in the country. The treatment of industrial waste remains a challenge due to a lack of proper infrastructure and capacity.

Industrial waste is classified as hazardous or non-hazardous waste and is subject to specific management requirements, including proper collection, transportation, and disposal. It is common for industrial waste to be mixed with other types of waste, which can pose a risk to public health and the environment.

The Ministry of Environment and Spatial Planning has created a waste management plan and a strategy for the secure disposal of hazardous waste, including industrial waste, in order to address these issues. The plan calls for actions to enhance the management of industrial waste, such as enhancing industrial facilities' capacity to handle and dispose of their waste appropriately and enhancing the collection and transportation of industrial waste to ensure its safe and responsible disposal.

# Reuse and Recycling

Reuse and recycling are a top strategic objective, both in terms of Kosovo's economic growth and in terms of achieving European targets. Kosovo aspires to

contribute to the goal of Europe as a Recycling Society. Establishing functional mechanisms for reuse and recycling will be the first stage.

Strategic objectives	2021	2022	2023	Gjithsej
<b>Strategic Objective 1:</b> Services and Infrastructure	6.134.673	19.244.330	19.749.890	45.128.892
<b>Strategic Objective 2:</b> Professionalisation of waste and recycling sector	405.000	555.000	169.000	1.129.000
<b>Strategic Objective 3:</b> Regulation and Control	963.000	4.339.000	3.670.250	8.972.250
<b>Strategic Objective 4:</b> Circular Economy	551.000	833.000	1.669.737	3.053.737
			<b>Total</b>	<b>58.283.879</b>

# Legal Framework on Waste in Kosovo

In this context, Kosovo is gradually aligning its waste management laws and regulations with the EU waste management directives, such as the Waste Framework Directive and the Landfill Directive. The goal of this alignment is to ensure that Kosovo has a modern and effective waste management system that meets international standards and best practices.

However, there is still work to be done to fully align the waste management framework in Kosovo with EU directives, and continued efforts are needed to improve waste management practices in the country.

The legal framework for waste management in Kosovo is primarily governed by the following laws and regulations:

- **Law on Waste Management** - this law outlines the responsibilities of different stakeholders in the waste management system, such as the government, private sector, and local communities.
- **Regulations for Waste Management** - these regulations provide further details on the implementation of the law, such as requirements for waste collection and transportation, disposal, and treatment.
- **Environmental Protection Law** - this law provides a general framework for protecting the environment in Kosovo, including provisions related to waste management.
- **Landfill Regulations** - these regulations outline the standards and requirements for the operation and closure of landfills in Kosovo.
- **Regulations for Hazardous Waste Management** - these regulations provide specific requirements for the management of hazardous waste, including the handling, storage, transportation, and disposal of such waste.

To support the implementation of the Law on Waste Management, Kosovo has established several institutions and agencies, including:

**The Ministry of Environment and Spatial Planning**

- responsible for developing and implementing waste management policies and programs, as well as supervising the waste management sector.

**The Environmental Inspectorate**

- responsible for enforcing environmental laws and regulations, including those related to waste management.

**The Kosovo Agency for Management of Waste**

- responsible for managing and supervising the operation of landfills and other waste management facilities in Kosovo.

**The Kosovo Environmental Protection Agency**

- responsible for monitoring and evaluating the state of the environment, including waste management practices.

# Compliance with the Legal and Planning Framework









Within the legal framework covering the field of waste management, one should note the Law No. 04/L-060 on Waste, from which other bylaws and planning documents of national and local level derive, and which stipulates municipalities' duties and responsibilities for waste management within their territories. It also provides for a development framework for local and regional levels and takes measures to accomplish the set goals and objectives.

Some of the obligations that derive from the legal basis, the fulfillment of which is key to enable municipalities to implement the law and waste management plans, involve:

1. Drafting and adoption of Regulation on Waste Management;
2. Drafting and adoption of Municipal Waste Management Plan (MWMP);
3. Employment of a full-time Waste Management Officer whose job description ensures that at least 50% of his/her responsibilities cover waste management;
4. Employment of an environmental inspector whose job ensures responsibilities for waste management;
5. Contracting licensed operators for the collection and transportation of municipal waste, by implementing procurement procedures;
6. Contracting licensed operators for the collection and transportation of waste from construction and demolition of construction sites, by implementing procurement procedures;
7. Setting service fees by going through the fee process for the collection, transportation and disposal of municipal waste, by calculating service costs, profiling clients and setting service fees;
8. Designation of a facility for the collection, treatment, and disposal of waste from the construction and demolition of buildings;
9. The organizational structure of the municipal inspectorate; and
10. Imposition of mandatory fines.

## Problems and its causes

## Strategic and specific objectives

<p> <b>PROBLEM:</b> Waste is not managed due to service deficiencies and infrastructure gaps.</p>	<p>→</p>	<p> <b>Strategic objective:</b> Develop a new generation of integrated waste management services and infrastructure.</p>
<p> <b>CAUSE:</b> Lack of service coverage and low efficiency of waste collection services.</p>	<p>→</p>	<p> <b>Specific objective:</b> Provide regular and reliable municipal solid waste collection services to the whole population.</p>
<p> <b>CAUSE:</b> Inadequate network of waste management facilities to treat and dispose municipal solid waste.</p>	<p>→</p>	<p> <b>Specific objective:</b> Develop network of integrated waste management facilities.</p>
<p> <b>CAUSE:</b> Other waste fractions enter the municipal waste stream placing additional burden on Municipalities.</p>	<p>→</p>	<p> <b>Specific objective:</b> Develop systems and infrastructure for management of nonmunicipal wastes.</p>

# Court practice on the environmental crimes

Environmental criminals are not criminally prosecuted in Kosovo. Courts are imposing only monetary fines on people who have committed environmental crimes, including gravel mining, dumping inert waste in riverbeds and damaging forests. The only ones who have been criminally prosecuted and sentenced to prison are the people who have been caught in illegal logging. Out of 50 judgments analyzed, there were cases when a penalty of 200 euros was imposed for the damage caused of around 16 thousand euros. The accused were fined with such a low fine, even though the court found that the same person was convicted 6 times for similar criminal offenses. During the analysis of the court decisions, it was observed that the courts doubled the mitigating circumstances and imposed minimum sentences for environmental damage, while these sentences did not affect the reduction of environmental crimes. Since we had several cases where the same persons have committed crimes repeatedly, that is an obvious parameter for this conclusion.

In order to investigate the handling of criminal offenses against the environment, BIRN has requested data from the Prosecution Council and the Judicial Council of Kosovo. From the answers received, it can be observed that the Prosecutorial Council does not have statistical data related to the processes for criminal offenses against the environment. "The Office for Statistics does not have data on Chapter XXVII - Criminal offenses against the environment, animals, plants and cultural objects", says the answer accepted by the State Prosecutor's Office for KALLXO.com. Whereas KJC has the statistical data it possesses and which are easily accessible to the public for the years 2015-2019, while for the following years BIRN is awaiting a response from this institution. The Criminal Code of Kosovo provides that any person who pollutes, degrades or destroys the air, water or land or overuses natural resources, must be punished with a fine or imprisonment for up to two years.

As for the persons who cause pollution or degradation of the environment through carelessness, then the legislator has foreseen that the same will be punished with a fine or imprisonment of up to one year. And in the most serious cases, when as a result of the commission of this criminal offense, the health of a large number of people is damaged, damage or complete or partial destruction of the plant or animal world, then the perpetrator can be punished up to 5 years in prison, while in cases of irreparable damage/destruction to the environment, then there is the possibility that the perpetrator will be sentenced up to 8 years in prison.

## Analyzing judgments

BIRN has analyzed 50 verdicts for the punishment of criminal offenses committed against the environment. The analysis of the verdicts of the regular courts shows how air and river polluters are mostly punished with fines, in contrast to the people who steal the forests, to whom the Courts mostly impose suspended sentences, as well as in cases where they are punished with a fine, the height of the fine is higher.

Both of these criminal offenses are in the same chapter, they are among the offenses which are considered as criminal offenses against the environment. For persons who knowingly or intentionally cause pollution, degradation or destruction of air, water or land, the legislator has foreseen the possibility of a minimum punishment with a fine or imprisonment of up to two years. But for persons who, with the intention of theft, cut the amount of wood that exceeds the amount of two cubic meters, the perpetrator is punished by a minimum fine or imprisonment of up to one year. So, the penalties for forest theft are expected to be lower than the penalties for people who degrade the environment. However, the analysis shows that the judicial practice in Kosovo more severely punishes the theft

of forests than the pollution, degradation or destruction of air, water or land. The negative phenomenon of frequent cases of environmental damage such as pollution, destruction or degradation of air and water is disturbing in relation to taking measures for the protection of these rare natural resources.

## Punitive policy

The data from the analysis of the judgments reflect the fact that when measuring the mitigating and aggravating circumstances, the courts doubled the measurement of the mitigating circumstances. The Criminal Code foresees the admission of guilt as a mitigating circumstance, and the remorse shown by the defendant is also foreseen as a mitigating circumstance. With the Penal Policy Guide, it can be argued that pleading guilty is proof of remorse and therefore can be taken into account by the court when assessing whether there really is remorse or remorse. So, the accused by pleading guilty shows that he is taking responsibility for his actions and that he regretted them. Although this in itself may not be persuasive, in both cases the court must attribute the facts to only one mitigating circumstance.

By attributing this to more than one mitigating circumstance, the court makes a double calculation of the facts before it and unfairly takes into account more mitigating circumstances than the guide says. By analyzing the judgments in question, in some cases there was doubling of the mitigating circumstances when the admission of guilt by the accused and the apology and expression of regret as separate circumstances were taken as a basis, not counting both in one. Apart from the damage caused to the environment by the perpetrators for these crimes, the punishments imposed by the courts are very symbolic and not proportionate to the damage caused.

## Mitigation of penalties in the name of the economic situation

In another case, the Court of Gjilan had sentenced a person with a fine of 400 euros for the criminal offense of influencing the illegal mining activity by operating without being licensed by the competent body. In this case too, in the judgment it was established that the same person was a recidivist, as he had been convicted of other criminal offenses. In another case, the Court of Peja had sentenced a person to 300 euros even though it was established that the same had caused damages in the amount of 5 thousand euros. The case happened in 2017 and was sent to the Court by the inspectors of the Independent Commission for Mines and Minerals - ICMM, as the same person was busy doing the processing/seperiminilegal of mineral resources and that of sand and gravel. In the reasoning of the decision of this Court, the judge of the case had not considered any aggravating circumstances in the actions of the accused. "The judge did not find aggravating circumstances in this particular case, while he appreciated the mitigating ones: the sincere admission of guilt, the deep remorse for this, the correct attitude in court, the fact that the defendant is the of a family of 6 members, and thus the judge thinks that even with a decision as in the provision of the judgment against the defendant, the purpose of the punishment will be achieved", it is stated in the decision of the Court of Peja.

The same court sentenced a person to 6 months' probation and a fine of 300 euros for the criminal offense of forest theft. The accused was found guilty by the Court of Peja for the theft of the forest since he was caught illegally cutting wood in the Bjeshket e Nëmura National Park. The value of the damage caused was close to 400 euros.

Another case analyzed by BIRN is the case judged by the Court of Gjakova against a person who had thrown garbage or the remains of construction material by the river, in which case with this action he had polluted the environment and endangered human life and health. For this action, the same Court had imposed a two-month suspended sentence, which would not be executed if the accused does not commit another criminal offense within the one-year verification period.

## Severe penalties for forest theft

BIRN has also analyzed another decision taken by the Court of Gjakova, which sentenced with a fine of 200 euros to a person who was accused of causing damages worth about 16 thousand euros.

The court found that the accused, using the excavator, without a license and in an illegal manner, exploited the natural resources excessively, with the purpose of illegal appropriation for himself in violation of the Law on Mines and Minerals, thus causing considerable damage to the state. The court of Mitrovica had sentenced the accused with a fine of 400 euros for the

theft of 18 logs of the type of wood with a thickness of 20 cm. The court of Gjilan has sentenced a person with a fine of 550 euros for the same criminal offense of pollution, degradation and destruction of the environment against the accused who caused damage to the state in the amount of over 5 thousand euros. The same court imposed a suspended sentence of 6 months on the accused for trespassing in the forest, even though it was found that he had caused damage to the state in the amount of 400 euros. In the present case, the Court considered the degree of criminal responsibility and the dangerousness(risk) of the criminal offense as an aggravating circumstance.

# The way forward

Kosovo is still in the early stages of establishing a circular economy, with much room for improvement in the area of waste management. Improving practices and effective implementation of existing legislation by all stakeholders are needed to address ongoing waste mismanagement and illegal practices. The EU accession goal provides an opportunity for Kosovo and the region to transition from a linear economic model to a circular economy, but advocacy and awareness campaigns will be important in promoting this change.

Based on the current challenges in Kosovo's waste management system, some recommendations to improve the situation are:

- Rehabilitation of the river beds and shores is needed.
- Strengthen enforcement of existing waste management regulations and ensure that all stakeholders comply with the rules.
- Increase the number of inspectors and strengthen support for this institution.
- Task force to be created, which will do analysis and expertise for the construction of river beds in order to avoid damage from floods.
- All villages around main rivers should be sewered and the same water should go to the collectors.
- Provide technical and financial assistance to local communities to protect the environment.
- Law penalties imposed for environmental crimes should be significantly increased.
- To increase the number of inspectors in the Independent Commission for Mines and Minerals to inspect the illegal gravel exploiters.

- Promote public awareness and education on the protection of natural monuments and parks issues to increase community engagement and participation.
- Foster private sector involvement in environment protection by offering incentives for companies that adopt environmentally friendly practices.
- Encourage the reduction of environment exploitation at the source, through programs that promote the reuse of products and materials.
- Develop alternative waste management technologies, such as waste-to-energy facilities, to reduce the amount of waste in landfills.
- Increase investment in waste management infrastructure, such as landfills and collection systems, to provide a more sustainable and effective solution.
- Better coordination between central and local level on protecting the environment.

Implementing these recommendations could help improve waste management in Kosovo and contribute to a more sustainable and livable future for its citizens.





This report has been published by the Coalition of NGOs Democracy Plus, Balkan Investigative Reporting Network Kosovo, Advocacy Center for Democratic Culture, Association of Journalists of Kosovo, Association Gorazdevac Media Group as part of the project "Western Balkan CSO Support", which is supported by the National Democratic Institute - NDI. The content of this report belongs to the Coalition and does not necessarily reflect the position of NDI.



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