

## SOME CRIMINOGENIC FACTORS AFFECTING THE APPEARANCE OF CORRUPTION IN KOSOVO



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### Abstract

Corruption as a phenomenon, not only destroys the economic base of a country, but it violates the basis of its legal system, legislation, judiciary, public-private institutions, cultural and health institutions, social policies of society and others. In order to know and study the phenomenon of corruption, we must definitely stop at some criminogenic factors which have a significant impact on the appearance of the occurrence of corruption. Thus, corruption as a criminal occurrence is present throughout the history of the state and human society and as such has always been considered as an immoral and harmful social occurrence. Corruption is especially expressed in times of crisis of certain societies, but also along with the strengthening of the state, the development of business activities, the interference of the state in the economy and the bureaucratization of society it has found its housing of presence as a criminal occurrence. Today, the occurrence of corruption has become one of the obvious problems in most countries almost all over the globe. Factors that have influenced the appearance of this occurrence are numerous, such as: the transition of society, economic crises, unemployment, poverty, mass media, the war and the circumstances of the war, the unresolved housing problems, etc. For this, in recent times, corruption has been characterized as one of the most negative social occurrence. Cooperation between relevant state institutions and citizens for this type of criminal activity is extremely important for detecting corruption as a criminal offense.

### 1. General Overview of Criminogenic Factors

In the science of criminology, we often encounter the use of the notion "criminogenic factor" in the sense of determining the causes that affect the occurrence of crime and that have an etiological significance. Today, all criminologists dealing with the study of the etiology of criminality agree that the appearance of specific forms of criminality is a consequence of the influence of certain criminogenic factors. Factors of objective and subjective nature, which are mutually related to each other, have a great influence on the appearance of corruption. Thus, the studies of such factors have an important role in determining the manifestation and appearance of this occurrence. In this topic, among others, are analyzed some of the criminogenic factors that affect the appearance of corruption in Kosovo.

### 2. The Impact of Some Criminogenic Factors on Corruption in Kosovo

Criminogenic factors are all those causes, conditions and circumstances that influence the occurrence of crime and various criminal behaviors in a society, i.e., criminogenic factors represent the occurrences and causes that have an impact on crime (Halili, 1995). The appearance of corruption is influenced by many criminogenic factors of a subjective and objective nature, but we will analyze only a few key factors that influence the appearance of corruption in Kosovo, such as:

- a) Difficult housing conditions;
- b) War and the circumstances of war;
- c) Economic crises;
- d) Migration of people;
- e) The transition of society;
- f) Public communication means, etc.

## 2.1. Difficult Housing Conditions

Difficult housing conditions as criminogenic factors occupy an important place in the empirical research of criminal etiology. The problem of housing and especially the lack of adequate housing choices are related to the process of population migration, its concentration in centers and cities, mass movements from rural areas to urban and industrial areas. Due to large population movements and spontaneous arrival in urban and industrial centers, a situation of lack of residential space is created (Halili, 2016).

From the criminological research of this factor it is noticed that in inadequate flats and rooms are placed some families with many members, so the stay and living in them is very difficult. This situation affects juveniles and young people, often due to difficult housing conditions, to leave the family, to seek other solutions by dealing with various criminal behaviors and actions, including various corruptive actions, especially those in various public procurement processes, where these are part of such a public-state process.

## 2.2. War and the Circumstances of War

One of the objective factors influencing the emergence of corruption is the war and the circumstances of the war. Thus, the impact of war circumstances on various criminal manifestations can be viewed in three phases of combat activities. There is talk of the influence of circumstances in the phase of war preparation, in the phase of war development and in the post-war phase (Halili, 1995). In the researched period of corruption 2012-2017, Kosovo experienced the two phases mentioned above (before the war and after the war). In the first phase, that of preparing for war, the whole of Kosovo was occupied by the military, police forces and the corrupt Serbian administration, which had forcibly established its power in all segments of life in Kosovo.

Based on the searches made in the records of the Courts of Kosovo, we have not managed to find any case of conviction of a senior official for corruption. This means that the "dark and gray number" of corruption has been extremely high during this period. The war in Kosovo has presented one of the most serious catastrophes for the attacked Albanian population. In Kosovo, during the war period (1998-1999) over 100,000 residential and commercial buildings were destroyed and burned by the Serbian occupying forces, over 13,000 people were killed, old people, women, innocent children, etc.

This period is characterized by uninterrupted war and the circumstances of the war, therefore despite the fact that even in these circumstances there were various criminal acts, including corruption, the current Kosovo institutions do not possess any

evidence of such corrupt affairs of this time period, as the public records of courts and prosecutors' offices were taken away by the Serbian government during its departure from Kosovo (1999) after the entry of Western allied forces into Kosovo. From all this, we can conclude that war and the circumstances of war are criminogenic factors, with great influence on the appearance of corruption.

## 2.3. Economic Crises

Economic crises are one of the main factors affecting the occurrence of crime in general. Kosovo has also had its ups and downs in the economic field. The most difficult economic period in Kosovo was dominated by the period of suppression of Kosovo's autonomy March 28, 1989 onwards, until 1999.

This was the period of economic survival of the Albanian people in Kosovo, because it was suppressed its autonomy with the constitutional changes of 23.03.1989, made by the violent Serbian government, in order to subjugate the Albanian people especially in the economic and political aspect. This difficult economic situation pushed a large number of citizens, despite the desire, to enter into corrupt relations, the absolute majority due to the imposition of such a corrupt relationship by the existing Serbian government itself.

To prove the influence of Serbian state institutions in the criminalization of economic life in Kosovo, we have not managed to find in the District Courts of Kosovo any weighty evidence of criminological science. This is not a fact that there have been no such cases, but it is a proof which shows that the Serbian government has intentionally avoided the judicial evidence of such cases, given that one of the vital interests of the violent Serbian government in Kosovo was the application of the principle: "Destroy (criminalize) every pore of life, but leave no trace (Beka, 2007)!"

The difficult economic situation in Kosovo continued in the post-war period (after 1999), when Kosovo was in the phase of emergency assistance, and later of reconstruction and development. This stage is also characterized by a high degree of economic crisis, where most factories were out of order, as a result of their destruction and looting by the violent Serbian government installed in Kosovo during the period 1989-1999 (Beka, 2007).

This phase is characterized by the resumption of numerous corruption scandals in Kosovo, especially during the period of assistance and investment from foreign entities that helps the recovery of Kosovo and its development. This period is also characterized by many corrupt affairs that have occurred in

Kosovo, where the perpetrators are also persons in high official - state positions, such as: corrupt passport affair, Hotel Grandi affair, numerous corrupt affairs in KEK (Kosovo Electricity Corporation), PTK (Post Telecom of Kosovo), corrupt affairs during the sale of socially owned real estate by KTA - KPA (Kosovo Trust Agency - Privatization Agency of Kosovo), etc.

## 2.4. Migration of People

The occurrence of migration is a factor which has a great impact on the life psychology of migrated persons. This occurrence is greatly helped by their difficult integration into society and the new environment.

Kosovo is characterized by a high degree of density and population growth. In 1989 it had 1,941,937 inhabitants, with a territorial area of 10,906 km<sup>2</sup>(KSA, 1988).Therefore, socio-economic conditions in Kosovo have caused a reduction in the fund of arable land as a result of the construction of numerous buildings, housing, business facilities, etc. This situation has created many problems of social and economic nature, especially there is evident the large workforce, not engaged in economic and social life. Therefore, in Kosovo all statistics show that there is no official evidence regarding the rate of migration of people in the village-city relationship for the period 2012 - 2017. But, giving up life in the countryside and migrating to the city (in the new environment), being positioned in different positions in public institutions - state and private companies, has created enough space for some people from this category to enter into corrupt affairs, especially in the field of public procurement, but also in other public services.

## 2.5. The Transition of Society

Kosovo in 1999 was liberated from the Serbian occupier. Despite this, the post-war period represents a difficult stage in the political, social, economic field for Kosovo and its people. This was the period when it was thought that Kosovo would advance rapidly in all stages of its development.

In 2008 Kosovo declared its independence. This strengthened the belief that Kosovo is on the right track to overcome the transition period. 20 years after the end of the war, Kosovo is still in various phases of transition, which will last, as a result of the general crisis that exists: economic, social, political, social, moral crisis, etc. that has attacked Kosovar society.

This period is characterized by marked changes in the political system, with major transformations of socially owned property into private ownership (during the privatization process, transformation of socially owned enterprises into public-private

enterprises, etc.), but attacked by the occurrence of corruption during such transformations performed.

The consequences of such actions in Kosovo are still evident today. This and many other abuses have slowed down the transition phase of Kosovar society in all pores of life. From this we can conclude that: Kosovo is going through a difficult transition towards a free market economy. This economic situation is affecting the committing of criminal acts and the breach of security in general (Latifi, 2002).

## 2.6. Public Communication Means

Citizens often fall victim to the occurrence of corruption through deception and misrepresentation against them through the media: television, radio, various portals, etc. This is a recent feature in the media in Kosovo, for example: on various televisions and internet portals, various physical and legal entities are advertised that have benefited millions of Euros from the processes of "tender mania" (public procurement), which entities at once raise the standard of living, up to enormous levels (luxury cars, expensive wardrobes, build large commercial and collective residential facilities, spend uncontrollably financial means in various manifestations, etc.).

Such (public) actions push citizens to increase the desire for large and rapid acquisition of financial capital, which can be done in principle through misuse and various corruptive processes in such a society, with criminalized elements. That is why the mass media and crime are at the center of discussions of criminologists and sociologists, who acknowledge the existence of a direct connection of some mass media with different interest and crime groups. When we talk about media, we mean not only electronic media - the Internet, but also TV, radio, print media, etc (Hysi, 1984).

In this regard, we would emphasize the necessity of creating and comprehensive support of anti-criminal behaviors and first of all educating the public in order to stay away from crime and to report it. Therefore, in order to realize this education, a special role is played by the mass media - electronic and print media (Hysi, 1984).

## 3. Conclusions

The occurrence of corruption in Kosovo remains one of its main challenges. Corruption as an occurrence which is suffocating the Kosovar society day by day, poses a permanent threat to the economy and the democratic society in general. Corruption is one of the specific forms of organized crime that endangers the economic, political, legal, cultural and other important values of society. In addition to the development of international economic

relations, corruption takes on new forms of presentation, perfecting and utilizing the various tools and methods used by perpetrators. Corruption, presented in contemporary forms, has not bypassed the economically fragile Kosovo and in the process of new state formation, has slowed down and weakened its development.

The consequences of corruption are dangerous, both economic, political and social. Corruption, in whatever form and in whatever plane it appears, thus severely violates the fundamental values of society and democracy. The occurrence of corruption causes great social, political, economic and security consequences. Corruption severely damages the credibility of a state both domestically and in the international arena.

A challenge in itself is to identify the causes of corruption in order to prevent and combat it as effectively as possible. Judicial, prosecutorial and free media institutions, especially investigative journalism, play an important role in combating this occurrence. All these factors affect the prevention and effective fight against the phenomenon of corruption in Kosovo society.

Kosovar society, state institutions, civil society face a challenge called corruption. This challenge can be overcome to some extent only if the relevant state institutions, assisted by civil society and citizens, manage to seriously investigate the factors that have influenced the appearance of corruption in Kosovo and eliminate these causes to the extent that affect the reduction of this criminal occurrence in Kosovo society.

## References

1. Beka A., (2007), "Abuses in the field of real estate in Kosovo - Criminological aspect", Prishtina: AAB University.
2. Gjinovci A., (2016), "Economic Crime and Ethics in Contemporary Organizations", Prishtina.
3. Halili R., (1995), "Criminology with Penology", Prishtina: Law Faculty, University of Prishtina.
4. Halili R., (2016), "Criminology", Prishtina: University of Prishtina.
5. Horvatić Ž., (1981), "Elementarna kriminologija", Rijeka: Liburnija.
6. Hysi V., (2010), "Criminology", Tirana: University of Tirana.
7. Latifi V., (2002), "Problems of organized crime in Kosovo, cooperation at national, regional and international level in the fight against organized crime" Magazine "Law", no. 4. p. 30.

8. Salihu I., (2012), "Economic Crime - National Security Challenges in Albania, Kosovo and Macedonia, in the Face of Economic Crime", Skopje: Print ISB.

9. Statistical Yearbook of the former SAC of Kosovo, (1988), Prishtina: Statistical Agency of Kosova.