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DEPARTEMENT: CIVIL LAW

MASTER STUDY

THEME:

**THEFT OF VEHICLES AND THEIR DETECTION IN THE POSTWAR
PERIOD IN MITROVICA**

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Pristinë, 2016

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1. INTRODUCTION

Seeing the change of systems and transitions in society and the state, especially in the post-war periods, vehicle theft spreads rapidly. In the municipality of Mitrovica, the theft of vehicles is a very disturbing trend, so I will try to explain and look at the causes of this phenomenon. As a municipality with multiethnic problems and mixed nationalities, this municipality is a suitable ground for the spread of this phenomenon, considering that it is near the border with the state of Serbia and customs area.

With these specifications and possibilities of smuggling of different goods, the municipality of Mitrovica is a very convenient ground for smuggling of stolen vehicles not only from the municipality but also from other municipalities. Seeing that thieves are always one step ahead of the police and judicial bodies, the thieves found chances and opportunities for the development of this phenomenon which brings lucrative benefits and unfounded and very quick enrichment.

Thieves in these cases, especially in stolen vehicles, know no race or nationality and do not choose who to steal from but select vehicles of the best brands which could soon be sold or be broken through various workshops inside and outside Kosovo. Stolen vehicles were selected by the burglars of two nationalities and in many cases, were made with previous orders from customers who were willing to pay the price of these vehicles, in case of a quick sale failure of these vehicles, many times they were delivered to the northern part of the city where the law of the Republic of Kosovo is not implemented and in specific cases ended up in the workshops or vehicle cemetery throughout Kosovo.

2. Reasonability of the paper

Seeing that in the postwar period from 1999 to 2014, with the occurrence of vehicle theft trend is high, it is right to note motives and ways that this phenomenon is spread. I think with detailed and extensive research, this phenomenon in our community will put out and bring a real picture of these thefts and the methods and ways of stealing vehicles in recent years in Mitrovica.

I think this phenomenon is not researched and has not made a detailed examination of these thefts and the reason for such behavior or incidents that lead to this robbery. Stealing of vehicles, many times remains only in files of criminal units and several of them, especially in the first period of the war, have not even reached disclosure but have remained as dark offenses and that this phenomenon during this period has taken the largest spread. Seeing that prevention units of these thefts are not very efficient, it gave thieves courage to take actions daily not only in our municipality but throughout Kosovo.

This research will help us with the detection of these offenses and have a true picture of these thefts and that the police and their effectiveness has reached to prevent this phenomenon.

This trend of the post-war period until today through the years has undergone increases or decreases and that the development and improvement of police officers, this phenomenon starts gradually to decrease and to stop this momentum which greatly had begun to possess the municipality of Mitrovica. The work of the judicial system and their manpower makes this phenomenon unsecure in their actions and that the decline of this phenomenon gives courage to citizens to feel safer.

3. Methodology of the paper

The complicated nature of the car theft seeks to apply scientific methods in research. Therefore, this paper will be realized based on scientific methods to achieve a good and productive result.

As a starting point in the research of vehicle theft in the municipality of Mitrovica in the period 1999-2014, we will have historical method which will help us a lot in the elaboration of the vehicle theft problem, so the historical access and overview will be inevitable progress of this work.

This survey of vehicle theft can be explained only by the connection, the conditions, and circumstances that occurred when these thefts occurred, as well as social, political, and historical-cultural circumstances of a country at a certain time.

Theft of vehicles in Mitrovica municipality as a negative phenomenon of society have a historical beginning of their development and that in legal and social terms the investigation of these thefts is impossible without a historical understanding of their municipality with specific features from other municipalities of Kosovo.

Thanks to this method, we were able to follow the evolution of this phenomenon over the years from the old times until now although this phenomenon is calculated as new in our society.

In researching this phenomenon, the statistical method take a special place which has a special significance in researching the numbers and facts that have occurred over the years. The reason why this method has this important place is that this phenomenon in the postwar years was spread rapidly in this municipality of transnational ethnic problems, where organized crime is developed greatly.

Also, the comparative method is important too which is used during labor and it is almost impossible to continue this study without this method, which facilitates the comparison of facts and circumstances that make this theft be massive.

Comparison of the facts and circumstances over the years is almost essential and more essential in the processing of facts that change through the years.

Comparing the facts of previous years with facts of the coming year is a very effective and successful method of the processing of numbers and evidence of vehicles theft.

A highly productive method in the research of theft is the interview method which helps to identify and highlight the ways and work of these thieves, but the interviewed ones wished to remain anonymous for safety reasons.

Literature and facts were mostly used in this research, which are given listed in books and police records and the courts that have dealt and a host of great facts is marked by conversations of the author and persons directly involved in these thefts which at all costs wanted to remain anonymous and that their statements that they are witnesses of events occurring directly or indirectly were involved.

It is worth mentioning that during the presentation of our request to allow the research on the documents or materials of which the prosecution deals, despite our insistence, the Chief Prosecutor of Basic Court of Mitrovica in no way permits access to these documents on the grounds that we do not have sufficient space that for me is an absurdity and a ridiculous excuse.

4. Conclusion

From all what was said above, we come to a conclusion that Mitrovica in the period 1999-2014 has been a very convenient city for the development of such event which brought profits for those who were engaged in stealing vehicles.

This phenomenon began to develop before the war, when all state bodies were abolished by the Serbian authorities and with them the police and all associated bodies.

When by the Serbian authorities, all the Albanian community institutions were leaving, it was thought it would not last too much and that those removed from these positions would return soon, but the power of Serbia had intentions of destroying the Albanian population with this during that period to plunder economically this population.

This way, this phenomenon started first by people of power and police officers who were recruited without any criteria and among them there were various thieves and very professional and when this is added to their collaboration with some of the Albanian community thieves, this phenomenon only gets strengthened and developed more. So, the Serbian government police were the first ones who started this event even before the 1999 period.

After the outbreak of war in Kosovo, especially in Mitrovica, this phenomenon was legalized more thoroughly by many paramilitaries, police of different formations that were operating in Kosovo.

Various thefts happening to our population were macabre and this theft is not even mentioned in comparison with the killings and collective extermination of the Albanian population.

Everything that was movable from all formations that were operating in Kosovo were robbed, for this there are various recordings of various television of the world media.

With the establishment of UNMIK's authority in Kosovo in our municipality, especially considering that the municipality was divided into two parts north and south, then an ideal opportunity was created for this phenomenon to continue, and considering that this municipality is at the border and marks the border with Serbia that gave you great opportunities for thieves and smugglers to expand this activity with extraordinary profits. The city's geographical division for

many thieves was a very good possibility to expand this activity because it opened new ways for the development of this work.

The national division of the city was also an opportunity to steal and to do business because smuggling and theft does not recognize national or geographical borders but it enabled the cooperation between the two ethnic groups and many opportunities to progress this business.

This national divisiveness enables cooperation and preservation of secrets even bigger than these thieves and a much larger employment of these thieves, and that the two sides of the city made this “job” because they needed people in numbers for this event.

Different groups of stealing vehicles were formed from both ethnicities and the cooperation of these groups was functioning perfectly in terms of business because of political situation enabled them to develop this activity.

The inability of the police system and ignorance of the geographic position by UNMIK, not allowing police to deal with this event was a favorable element of these groups because this phenomenon is being allowed to transnational cooperation between Serbs and Albanians despite many bad reports that were in the field. Coordination of vehicle theft was so strict that it was beginning to take global dimension and stolen vehicles in the west and our fellow citizens during the holidays could be found on both sides of the city.

The increasingly high requests for auto parts of popular brands of vehicles was also an additional element of theft because in many cases the buyers could not be found, or when they reached agreement wasn't functioning on the type of the stolen car then these vehicles ended up in workshops for their dismemberment and selling them by pieces for spare parts and almost won twice the price.

Nonefficiency of the police in tracking and catching these thieves and unwillingness of decisions and orders of the chain of command by the Serb police made the job easier to these thieves. The police by UNMIK was unable to deal with these thefts and that these were interested only in stolen vehicles from countries from which they came, so they usually followed these stolen vehicles in their country and for other cases the injured were sent or aided to the Kosovo's police but when the case was about thieves with mixed nationalities, they had no power because the theft was sent

north and from there who knows where the direction is, but in most cases it stood a while in the north and in case that no buyer was found, the stolen car was sent in Serbia and in some cases even in Albania or in pieces in workspaces of vehicles.

Cases which are informed in the police remained as evidenced and in case any of them thieves were caught then the case was dragged until the owner in most cases gave up everything because he was doing costs and cruel and unnecessary things for this car and that a number of collected materials in court allowed to bypass this case. When to all of this, the problem of transferring citizens is added from south to north by the UNMIK's police, which did this transferring with the call from the court and otherwise had no security to pass on the other side of town.

All this is compounded by political instability and destabilization of the security situation and when we analyze it better, we come to a conclusion that this was convenient to someone from political leaders both local and international, of all this different smugglers and thieves benefit, who best utilize this political instability. Upon the declaration of independence of Kosovo, the police and people already trained and prepared for the pursuit of these thieves slowly are taking the competences.

In 2009, the unit of auto crimes is formed within the regional police and competences are shared, this is good news that something will improve but on the other hand there are negative sides because the cases presented to the current theft will be a problem because they will never see the light of those cases presented to the court, because they are lagging in the north court that for political reasons is staying closed for several years.

Unit of auto crimes was trying with all means to prevent such theft and were arresting a pretty large number of thieves but the large caseload of the court which is already functioning in Vushtrri and extremely difficult conditions because they are working in the courthouse of Vushtrri cruelty in difficult conditions did not enable efficient work and when there are enormous loads of penitentiary institutions prisoners, it cannot be expected any great efficiency of theft prevention.

This vehicle theft began to fade within time, thanks to the interest of the citizens and not as efficient work of the Kosovo police. Citizens are already interested where and how they spare their vehicles and that a much greater interest was bringing success to prevent this phenomenon.

For the consolidate police of Kosovo, especially for the auto crimes unit, now were known most of those who were involved in this activity and that few cases of recent years were easier to be hounded by the police.

The political situation and the situation presented in our city, made difficult the work of this unit and when we add a court already considered by anyone who is monitoring their work as highly corrupted and inefficient in choosing the issues not only of these but generally the cases presented.

When we do a more detailed analysis of research restricting of vehicle theft cases by the Prosecutor of Basic Prosecution in Mitrovica we conclude that there are people within the prosecutor's office or at the top of this prosecutor, who are connected directly or indirectly of this kind of activity and that the prohibition of cases research is absurd and a more banal explanation that allegedly we are in poor condition when it is already known that this Court's prosecutor is working in favorable and spacious conditions.