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THEME:

**WEAPONS OFFENSES IN PRISHTINA REGION DURING  
2010-2014**

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**Content**

Appendices.....

Abstract .....

Gratitude .....

Introduction- Target of the study .....

Targets of the study.....

Purpose of the study.....

Methodology of study.....

Structure of paper.....

**Chapter I.....**

**Criminal-Law and comparative review of the weapons of criminal offenses .....**

Criminal-Law review of the weapons of criminal offenses.....

Meaning and types of weapons.....

Meaning and types of weapons offenses according to KPK.....

Types of weapons offenses according to KPK .....

Import, export, supply, production, exchange, mediation or sale of weapons or explosive materials.....

Deletion, unlawful removal or modification of signs with firearms or ammunition .....

Unauthorized ownership, control or possession of weapons .....

The use of a weapon or dangerous instrument.....

Permits, approvals and fake licenses of weapons and giving false information.....

Production and provision of weapons and instruments for committing offenses.....

**COMPARATIVE OVERVIEW OF WEAPONS OFFENSES UNDER LEGISLATIONS OF SOME REGION COUNTRIES .....**

Weapons offenses under the criminal legislation of Albania .....

Illegal production and possession of military weapons and ammunition .....

Illegal production and possession of cold weapons .....

Illegal production and possession of hunting and sporting weapons.....

Breach of rules on poisonous substances.....	.....
Breach of rules on explosive and radioactive substances .....	.....
Trafficking of explosives, flammable, poisonous and radioactive substances .....	.....
Training for production and use of illegal weapons and other dangerous substances.....	.....
Weapons offenses under the criminal legislation of Macedonia .....	.....
Illegal carrying of weapons or explosive substances.....	.....
Falsifying signs, destruction or changing the firearm signs or its parts.....	.....
Weapons offenses under the criminal legislation of Serbia.....	.....
Illegal production, possession, transfer and sale of weapons and explosives.....	.....
Weapons offenses under the criminal legislation of Bosnia and Herzegovina.....	.....
Illegal trafficking of arms and military equipment for double use .....	.....
Illegal weapons and other means of fighting .....	.....
Weapons offenses under the criminal legislation of Croatia .....	.....
Taking and supplying weapons and instruments for the purpose of committing a criminal offense	
Illegal possession of weapons and explosive substances.....	.....
<b>Chapter II .....</b>	.....
<b>CRIMINOLOGICAL REVIEW OF CRIMINAL OFFENSES IN THE REGION OF PRISHTINA DURING 2010-2014.....</b>	.....
Some phenomenological characteristics of weapons offenses .....	.....
Police statistics.....	.....
Statistics of the of the Kosovo Judicial Council .....	.....
Statistics of weapons offenses from the Statistical Office of Kosovo .....	.....
Place and time of the performance .....	.....
Cooperation during the commission of weapon offenses .....	.....
Some personal and social characteristics of the offender of weapons offenses .....	.....
Age of the offender .....	.....
Gender of the offender .....	.....
Educational level of the offender .....	.....

Social status of the offender .....	
Marital status of the offender .....	
The nationality of the offender .....	
Several factors of the submission of weapon offenses in the region of Prishtina.....	
Objective Factors .....	
Family and family environment.....	
Groups and cults that promote hatred .....	
Mass Medias .....	
The easy possibility to find weapons .....	
Troubled relation parent-child .....	
Subjective Factors .....	
<b>Chapter III</b> .....	
<b>FIGHTING AND PREVENTION OF WEAPONS OFFENSES IN THE REGION PRISTINA DURING 2010-2014</b> .....	
Preventive measures.....	
Repressive measures .....	
The imposition of criminal sanctions and other measures against perpetrators of weapons offenses .....	
Punitive policies against perpetrators of weapons offenses.....	
Conclusions.....	
Recommendations.....	
Literature and Bibliography .....	



## **ABSTRACT**

This study aims to contribute on continues efforts to prevent the introduction of weapons offenses and to promote the impact of policies and decision making to strengthen the weapon control in Kosovo. For research on this master thesis are mixed methodologies, including the primary and secondary research. Within the secondary research are analyzed laws within Kosovo and from neighboring countries as well, Administrative Instructions, press releases etc. Primary research includes all accepted statistics of the Statistics Agency of Kosovo (SAK), the Kosovo Judicial Council (KJC) and the Kosovo Police (KP). This research has encountered substantial cooperation to the institutions listed above, except the Basic Prosecution of Prishtina, which has been reluctant the cooperation neglecting the demand for statistics of these criminal offenses associated with this research.

Placement of the old law in front of the new one draws even better the development and explanation of weapons offenses which are segregated in a single chapter.

Keywords: weapons offenses, police, judiciary, prosecution, etc.

## **CONCLUSION**

Considering the fact that weapon offenses in Kosovo, are being presented with the raise of society and awareness of citizens for various reasons, the presented cases of these acts have suffered decrease.

The term "weapons offenses" are summarized in six articles of the Criminal Code of Kosovo which as a basic form of the paper are included the supply, transport, production, exchange or sale of all types of weapons, erasing, removing or changing the signs of fire weapons or ammunition, ownership control or the unauthorized use of weapons, using weapons or explosive materials by persons who possess the permission to carry a weapon, namely explosive materials, giving false information, either verbally or in writing throughout all stages of application for the equipment of permission, approval or license to keep the weapon or the exploder tool and production and supply of arms and equipment intended for committing the offense allows the other person to provide weapons, poisons or other necessary equipmentsfor their production. According to the statistics data obtained from the Kosovo Judicial Council and the Statistical Office of Kosovo, through the years 2010 until 2014, in the region of Prishtina have been identified a total of 153 criminal offenses of weapons under Article 327 or 372 of the new criminal code of Kosovo "import, export, supply, transport, production, exchange, mediation or unauthorized sale of weapons or explosive materials." For the offense from article 373 "Deleting, unlawful removal or change of signs in firearms or ammunition" were recorded in total 4 cases. Article 375 of the criminal offense "Use of the weapon or dangerous tool" in total were recorded 157 cases. For the criminal offense under the Article 329 or 376 of the new Criminal Code of Kosovo, a total of 10 cases have been recorded, and for the offense under the Article 330 or 377 of the new Criminal Code of Kosovo, a total of 9 cases were recorded. Regarding the nationalities of the perpetrators of these crimes are investigated the reported cases in the region of Prishtina from 2010 to 2014.

From these records, on suspicion of committing criminal offenses of weapons in general are 2,401 persons of Albanian ethnicity, 655 of Serbian nationality, 69 of Roma / Egyptian / Ashkali, and 61 other persons of different nationalities which includes the Montenegrin, Turkish, Bosnian

and Croatian nationality. Regarding the number of cases reported to the police, where as a suspected perpetrator of weapons offenses are in considerable numbers of Albanian nationality and considering the fact that Albanians are a nation with an absolute majority in Kosovo. Although, it is worth to mention the fact that Albanians also possessed weapons since the wartime and after that where almost the entire arsenal of weapons remained in the hands of the Albanian population having no mechanism to accumulate as such, why not even for the needs of FSK, or FAK in the future. The data surveyed tell us that the criminal offenses of weapons are expressly fairly presented and we can say that there have been very little changes in the appearance of these cases over the years, and also the resolution of these cases by the authorities. According to data collected as by the Police, the Kosovo Judicial Council, and by the Statistical Office, it is important to underline the fact that the criminal offense under the Article 377 (or 330 of the old penal code).

Production and provision of weapons and tools for committing offenses "During the five years of research we had only 9 cases with convictions. As for the criminal offense under the article 373 "Deleting, unlawful removal or change of signs in firearms or ammunition" We only had 4 cases over five years of research. Also, in this research have been recorded, the data of the gender of perpetrator, by which of course it is the male gender, which comprises most of the statistics as perpetrators of these criminal offenses with a total of 85% of cases, while women comprise 15% of the commission of these offenses. The highest sentence that is imposed on a perpetrator is in 2012, who was sentenced to an effective imprisonment of 10 to 15 years.

By the Kosovo judiciary, there are still plenty of unresolved cases, which were transferred from the previous years which have not yet taken any outcome. It is the year 2014, which has had the most success in solving cases by the judiciary in Kosovo reaching the highest number of settlement cases, of course referring the period that I have done the research of the topic for the years 2010 to 2014. This may be the reason of the employment of some judges, since it is known that Kosovo has had and still has a lack of judges, especially those with experience and also the entry into force of the new Criminal Code.



## RECOMMENDATIONS

Besides ministries, such as the Kosovo police, prosecution, judiciary, etc., an inevitable task for offering cooperation in the near future remains reducing these criminal offenses with the help of other institutions

-The Ministry of Education, Science and Technology, Ministry of Education, Science and Technology should take part in preventing the use of weapons, through regular educational programs, organizing curricular and extra-curricular activities, which may include parents and the community. Prosecution Office of Kosovo: In accordance with the Code of Criminal Procedure and the Law on Special Prosecution Office of Kosovo, Kosovo Prosecutor's Office should contribute to the implementation of a strategy, giving priority to cases related to the performance of criminal offenses, organized crime involved in the trade of weapons, with illegal possession, with the control or use of unauthorized weapons and transactions.

-Prosecutors: Must act by filing complaints against court rulings specifying in the complaint the request for the severity of the sentence with effective imprisonment against soft decisions towards the perpetrators of these criminal offenses. On the other hand, the judge must assess the dangerousness of weapons, in order for the perpetrators of such criminal offenses to impose effective penalties of imprisonment or a fine which will reach the legal maximum. In addition, the possibility of placing priority final judgments in these cases by judges in order to achieve the purpose of sentencing and not be allowed in any way their absolute prescription.

Police of Kosovo: PK should change its operation approach by taking actions even wider for confiscating weapons on the ground and based on information from its intelligence and Kosovo Intelligence Agency (AKI). Kosovo Police, Prosecution and Courts: These three institutions play a key role, besides others, in preventing and combating weapons offenses. Database of PK contains generalized data, and there isn't a categorized database, to own data from cases such as murder with firearms, firearms injuries or stray bullets, as and other incidents related to firearms. Besides this issue, the problem remains the lack of a common database between police, prosecution and courts. These three institutions have conflicting data regarding weapons offenses and this complicates the design of sustainable policies and that respond to the situation on the ground.

-Customs: Customs play an important role in preventing the transport and import of illegal weapons and, where a close cooperation with the police of Kosovo would have considerable importance that national boundaries to be used only for legal matters.

In the end, I am summarizing into a sentence or personal statement: "The weapon is strong, there is no soft weapon, but they say that man is stronger than the stone. Therefore, the strength of the human consciousness that directs the weapon can stop every shot, which can bring us at least one victim".