

## Legal regulation on utilization of natural resources of Kosovo

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### Introduction

Kosovo is part of South-Eastern Europe, inside the Balkan Peninsula. It has a surface area of 10.877 square kilometres, surrounded by Albania, Macedonia, Serbia and Montenegro.<sup>1</sup> Kosovo forms a geographical unit surrounded by impressive mountains and hills.<sup>2</sup> Kosovo's location in the centre of the Balkan Peninsula defines itself as the crossroad of important terrestrial routes, crossing from Northern and Central Europe towards South and West Europe.<sup>3</sup> The Kosovo's relief, taken in general, is a mountainous one. Kosovo does have agricultural land, which is generally arable, considerable forest land, large water bodies, flora and fauna rich areas, and considerable ground resources.<sup>4</sup>

These and other resources Kosovo is endowed with represent the key supporting factors of Kosovo's development, current and future. In fact, as any other country, Kosovo is also characterized by limiting elements in terms of extent of natural resources that may be available for utilization.

As it is widely known, in conditions of free market economy and privatization, possibilities of ensuring a proper planning for the utilization of all natural resources available are considerably relative. Setting from the fact that there are no inexhaustible resources, it is necessary that relevant mechanisms are in place and authority to undertake all possible measures to provide for a diligent and rational utilization thereof. To achieve such a goal,

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<sup>1</sup> Kosovo, an encyclopaedic view, Tirana, 1999, pg. 7.

<sup>2</sup> Kosovo, a short history, Noel Malcolm, Tirana, 2001, pg. 1.

<sup>3</sup> Kosovo, an encyclopaedic view, Tirana, 1999, pg. 8.

<sup>4</sup> Ibid, pgs. 26-44.

modern countries, including Kosovo, have passed relevant laws. Setting from such terms, this article aims to present the current situation of Kosovo in terms of legal norms on utilization of natural resources it is endowed with.

### **1. Several most important natural resources found in Kosovo, and legal boundaries to their utilization**

As stated in the introduction to this paper, Kosovo is a country of rich natural resources, notably ground resources. While in the past, natural resources have played a great role in economic and social development of Kosovo, it might well be stated that quality indicators show that their role could have been greater. Nevertheless, that does not prevent a greater development influence in the future. This may be stated due to the fact that natural resources in Kosovo are characterized by their favourable structure; one should also consider the importance assigned to raw matter, energy and food in relation to scarcity, or namely the inadequate distribution of resources which poses a challenge to the humanity; the circumstances of country's development policy guidance towards internal resources and nuclei created for the use of natural resources in Kosovo.<sup>5</sup>

It is widely recognized that the key natural resources in Kosovo are: the land, flora, fauna, water and ground resources. Due to the nature and character of this paper, but also other conditioning factors, I shall only dwell on addressing several aspects of utilization of the resources, viewed from the prism of the current legal regulation.

#### **1.1. Agricultural land and the legal context of its use**

It is an indisputable fact that the land stock represents a very important natural resource for the development of a country. As stated in the introduction, Kosovo has a surface area of 10.877 square kilometres. "The land surface area of Kosovo is 54.23% agricultural, 40.92% forest land and 4.85% is considered to be infertile land."<sup>6</sup>

This section shall not discuss forests, because they are addressed below, obviously in lieu to the purpose of the paper.

Scientific research has shown that good quality agricultural land makes for 15% of the whole agricultural land area, 29% is of medium quality, while 56% is a poorer quality land.<sup>7</sup>

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<sup>5</sup> Ismet Gusia, *Natural resources as a factor of economic development of SAPK (Burimet natyrore si faktor i zhvillimit ekonomik të KSAK)*, Rilindja, Prishtina, 1982, pg. 7.

<sup>6</sup> Ibid, pg. 135.

<sup>7</sup> Ibid, pg. 135.

The land stock available to Kosovo, its general structure and the structure of agricultural land, together with an ever-increasing population, are the conditioning factors which should be taken into account by responsible authorities in making policies related to use of such land. In these terms, it is rather clear that the legal norms would ultimately set the rules of the game. Nevertheless, for the law to properly address the essential needs of Kosovo's residents, a comprehensive strategy would be urgent in my assessment, which would provide also on behaviour required by every authority in lieu of natural resources available.

Kosovo does not have such a strategy. In terms of law making though, the situation seems different. In fact, Kosovo has adopted a Law on Agricultural Land,<sup>8</sup> Law on Irrigation of Agricultural Land<sup>9</sup>, Law on Organic Agriculture<sup>10</sup> and the Law on Agriculture and Rural Development.<sup>11</sup> Related laws are: Law on Nature Protection<sup>12</sup>, the Law on Environmental Protection<sup>13</sup>, Law on Planting Material<sup>14</sup>, Law on Farmers' Cooperatives<sup>15</sup> etc.<sup>16</sup>

Taken in general, it may be easily stated that Kosovo, during the last decade, has been able to build a rather advanced legal infrastructure, addressing matters fairly related to the manners of utilization of agricultural land. Nevertheless, when viewed specifically, or in practical terms, I consider that some of the laws, in due consideration of practices of advanced countries,<sup>17</sup> they have not been able to properly address the matter of strengthening the implementation of laws on matters related to the utilization of the agricultural land stock. This may be justified with the fact that in the past years, Kosovo has faced numerous challenges, a few of which were not part of earlier experience. This is fact is not only related to political challenges (the independence of the country, the operations of UNMIK or any other international authority), but also to other challen-

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<sup>8</sup> See: Official Gazette of the Republic of Kosovo – Law No.02/ L-26.

<sup>9</sup> See: Official Gazette of the Republic of Kosovo – Law No. 02/ L-9.

<sup>10</sup> See: Official Gazette of the Republic of Kosovo – Law No. 02/ L-122.

<sup>11</sup> See: Official Gazette of the Republic of Kosovo – Law No. 03/ L-098.

<sup>12</sup> See: Official Gazette of the Republic of Kosovo – Law No. 02/ L-18.

<sup>13</sup> See: Official Gazette of the Republic of Kosovo – Law No. 03/ L- 025.

<sup>14</sup> Law no. 2004/13.

<sup>15</sup> Law no. 2003/09.

<sup>16</sup> Laws addressing matters related to the use of agricultural land, based on solutions they offer, can also be the following: the Law on Wines (Law no. 2005/02- L8), Law on Special Protection Areas (Law no. 2008/03- Lo39), Law on Protection of Plant Varieties (Law no. 2008/24), Law on Tobacco (Law no. 2007/1) etc.

<sup>17</sup> Poland has a law on manners of use of agricultural land, as a special law, which is not the practice in Kosovo. Further, Albania has a law protecting agricultural land as a special law (see: Law no. 9244, entered into force on 17 June 2004) etc.

ges (privatization, free market economy, etc.), which in a way or another, mounted their influence on matters related to addressing the utilization of agricultural land.

Although in my opinion, Kosovo has yet to consume all best practices in lawmaking, especially in using the existing agricultural land stock, I still consider that the problem is related to enforcement of the existing legislation. Setting from this situation, I consider that the challenge of increasingly lost agricultural land to construction,<sup>18</sup> and not only, is largely a result of poor implementation of existing laws. For example, despite the fact that Kosovo has adopted a Law on Agricultural Land, which rather explicitly provides on criteria of use of land,<sup>19</sup> many land areas have been changed their use, without decisions of competent authorities, or even beyond their control. In this sense, I consider that the first action to be taken in ensuring a rational use of agricultural land is ensuring implementation of existing legislation. In parallel, ongoing efforts must be made in offering supporting legislation, to the benefit of creating opportunities for a more adequate use of agricultural land, and prevention of unlawful degradation thereof, thereby operationalizing systems of control and accountability upon every person violating applicable laws.

## 1.2. Forests and the legal aspect of their use

The forestry stock represents one of the major resources to the economic development of the country, enhancement of the living environment (cleaning of air, regulating humidity, reducing bacteriological pollution, cleaning polluted waters, etc.), regulation of the water regime, recreational activities, etc.<sup>20</sup> The total forestry stock of Kosovo covers 40.92% of the surface area.<sup>21</sup> The country possesses a forestry structure which is not the most favourable. Neverthe-

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<sup>18</sup> See for more: No mercy on land, Editorial, Kosova sot, Independent Daily Newspaper, no. 3852, 27 May 2010, pg. 1. This article states that thousands of hectares of arable land are lost each year, due to their transformation into construction sites, while another considerable part of this land is left as wasteland.

<sup>19</sup> According to Article 4, Para 1 of this Law, the owner or user of agricultural land is obliged to use the agricultural land in the manner suiting natural characteristics of land, while not lowering its value and using appropriate agro - technical measures the owner or user of agricultural land. This law also provides on use of pastures, book-keeping on agricultural land, protection of agricultural land, conditions upon which change of use may occur, use of agricultural land under irrigation, increased fertile topsoil, re-cultivation of agricultural land, protection of agricultural land from pollution, consolidation of agricultural land, measures ensuring use of agricultural land in compliance with the applicable law, etc.

<sup>20</sup> Ismet Gusia, quoted work, pg. 164- 165.

<sup>21</sup> Kosova in a..., pg. 37.

less, the participation of higher forests in the total forestry mass is estimated to be around 70%.<sup>22</sup>

Surveys undertaken have shown that forestry has not enjoyed proper addressing as an economic development asset in the past.<sup>23</sup> The same situation is virtually present to this day. A decisive influence, apart from economic policies and measures, was exerted by insufficiency and inadequacy of investment. The effects of this situation will surely be felt in future developments. In fact, the last decade has recorded an increasingly concerning tendency of forest degradation, also fostered by passivity and weakness of protection policies.<sup>24</sup>

Kosovo has passed a specific law to regulate issues related to forests. This is the Law on Forests of Kosovo.<sup>25</sup> Immediately in the first Article, paragraph 2, the law quotes that the forests of Kosovo are a national resource. They shall be managed in such a way as to provide a valuable yield and at the same time preserve biodiversity for the current and future generations. In this case, it is underlined that the forest management shall also take into account other public interests. Solutions provided by this law also include the requirement that forest management must be in accordance with the statement of principles for a global consensus on the management, conservation, and sustainable development of all types of forests set forth in Annex III to the Report of the United Nations Conference on Environment and Development.<sup>26</sup> In the context of rational and sustainable use of forests, many provisions have been provided by this law. These provisions address matters related to the improvement of the forest condition, by forestation of degraded forest lands, regeneration of forests after cutting, limitations in cases of cutting and use<sup>27</sup> etc. Serving the purpose of a more rational use of forestry resources, the law requires the adoption of management plans. The Ministry of Agriculture and Rural Development has issued several relevant bylaws to this purpose.<sup>28</sup>

In its concepts and content, the Forest Law is evaluated to be in compliance with international standards. Provisions on the matter addressed by this article

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<sup>22</sup> Ismet Gusia, quoted work, pg. 169.

<sup>23</sup> Ibid, pgs. 165-166.

<sup>24</sup> It is estimated that in Kosovo, only until 1999, there were 81.639 ha of degraded forests. This area is estimated to be even larger in the post-war period. See for more details: Kosovo in a..., pg. 37.

<sup>25</sup> See: Official Gazette of the Republic of Kosovo no.2003/3.

<sup>26</sup> This conference was held in Rio de Janeiro, 3-14 June 1992.

<sup>27</sup> The law's Article 3.7 provides that no person removing trees may leave the land with less than forty percent tree cover

<sup>28</sup> Hence, this Ministry has issued special rules guaranteeing origin and quality of seeds, plants and shearing for forest regeneration, and several administrative instructions providing on the use of plant stock.

are virtually identical with solutions set by forestry laws in Albania, Serbia, Croatia, etc.

Therefore, it may be freely stated that Kosovo currently possesses a rather functional and sound legal infrastructure on the use of forest resources. Nevertheless, similar to the agricultural land case, the use of existing forestry resources is largely influenced by the non-implementation of this legislation. Therefore, for the use of natural resources to take a more regular form, a necessary approach would be to enhance control systems, supervision and accountability of authorities, to which the applicable legislation has assigned relevant authorizations in this field.<sup>29</sup>

### **1.3. Flora (excluding forests) and legal aspects of its use**

While the territory of Kosovo only covers around 2.3% of Balkan, it is one of the richest flora areas in the Peninsula. In these terms, mountains of Bjeshket e Nemuna and Sharr are distinct. According to studies performed by specialists, the territory of Kosovo contains around 2500 species of flora, amongst which around 200 types are thought to be endemic, mainly found in parks and gardens, such as the Karagaç Park in Peja, several locations in the surroundings of Prizren, etc.<sup>30</sup>

This diversity of plants, in the current situation, represents a natural resource of multiple values, including development means of the country. In due consideration of this fact, Kosovo has taken several important steps in the last decade towards providing protection for this bio-diversity, including measures and manners of use thereof. This would include firstly the adoption of basic laws on this matter, such as the Law on Protection of Plant Varieties,<sup>31</sup> the Law on Plant Protection,<sup>32</sup> Law on Planting Materials,<sup>33</sup> Law on Plant Protection Products<sup>34</sup> etc.

These laws, apart from the essential scopes they cover, address also various aspects of plant/species protection, including matters related to the use and regeneration. Generally, Kosovo's legislation is rather advanced in these ter-

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<sup>29</sup> The existing situation in the field witnesses to the fact that the matter of regeneration of degraded forestry areas has been left to the mercy of nature, while degradation of higher forests, including those under special protection by the state, is a phenomenon which continues to concern the public, especially the professionals.

<sup>30</sup> For more, see: Kosovo in a..., pg. 36-38.

<sup>31</sup> See: Official Gazette of the Republic of Kosovo – Law no. 02/L-98.

<sup>32</sup> See: Official Gazette of the Republic of Kosovo – Law no. 02/L-95.

<sup>33</sup> Law no. 2004/3.

<sup>34</sup> See: Official Gazette of the Republic of Kosovo – Law no. 03/ L- 042.

ms.<sup>35</sup> This legislation has been standardized, and virtually completely mainstreamed with the legislation in advanced European countries. This is obvious in cases when special laws of Kosovo, such as the Law on Plant Protection is compared with the plant protection laws in Albania, Slovenia, or other countries.

Earlier experiences have shown that Kosovo's flora, notably the endemic species, have rarely been used to the benefit of economic development. Such experience continues to be witnessed in today's Kosovo. Furthermore, despite the existence of basic laws, the Kosovo's flora, similar to other resources, continues to lack an adequate practical treatment, understanding in terms of protection, regeneration and use. Therefore, the key problem, even in this case, is the enforcement of applicable laws.

#### **1.4. Fauna and legal aspects of its use**

The diverse flora of Kosovo is viewed as the main factor conditioning the geographic distribution of the fauna. "Hence, the fauna in the forest areas of Sharr and Bjeshket e Nemuna is much richer in number and species than other lowland and less flora inhabited areas".<sup>36</sup> Literature used shows that Kosovo is generally seen as a country of a relatively diverse fauna.

Although Kosovo is a country of rich fauna, this natural resource is estimated to have been used relatively weakly to the benefit of economic development. Nevertheless, there is a general perception that Kosovo does have all preconditions for this natural resource to be enhanced in its use in the close future. This assumption is supported by the fact that Kosovo already has a legal framework, considered to be rather advanced in this sense, although best practices from other countries have yet to take place, despite the fact that in the recent years, such practice (although in fine elements) is being transferred.

It is worth mentioning that after the war, Kosovo has adopted several laws addressing cultivation, protection and use of the rich fauna. Such laws would be: the Law on Animal Welfare,<sup>37</sup> Law on Hunting,<sup>38</sup> Law on Stock-breeding of Kosovo,<sup>39</sup> Law on Fisheries and Aquaculture,<sup>40</sup> Law on Apiculture<sup>41</sup> etc. To ref-

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<sup>35</sup> The Law on Protection of Plant Varieties (Article 6), apart from other points, provides, in the most meaningful manner possible, on the economic use of plants by authorized persons.

<sup>36</sup> Kosovo in a..., pg. 38.

<sup>37</sup> See: Official Gazette of the Republic of Kosovo – Law no. 02/ L-10.

<sup>38</sup> See: Official Gazette of the Republic of Kosovo – Law no. 02/ L-53.

<sup>39</sup> Law no. 2004/33.

<sup>40</sup> See: Official Gazette of the Republic of Kosovo – Law no. 02/ L-85.

<sup>41</sup> Law no. 2008/5.

lect on aspects related to the manner of use of this natural resource, I consider it would be sufficient to only accentuate what has been provided by Chapter III of the Law on Fisheries and Aquaculture. Provisions of this Chapter, amongst others, provide on the use of fish for economic purposes. Nevertheless, Article 14 of the Law clarifies explicitly that professional (economical) fishing can be exercised in designated fishing regions or areas after obtaining a professional (economical) fishing license. This approach I consider to serve the objective of a rational use of fish, as a valuable resource of the country.

In general (concepts and content), domestic legislation addressing fauna matters is thought to be modern, and streamlined with EU standards. This legislation has opened many opportunities of utilization of fauna available to improvement of the general welfare of citizens and the country. Whether how much and how these opportunities are going to be used, is an issue that will be shown in the coming years.

#### **1.5. Water and legal aspects of its use**

Water is a natural resource of great value, and an indispensable means of life. "Kosovo is endowed with large water resources. Its territory is an interesting hydro-graphic cross-section. The total amount of ground and surface waters in Kosovo is estimated at 3818.1 million cubic metres."<sup>42</sup>

Nevertheless, water demands are ever increasing, due to the population growth and economic activities, but also living standards.

Scientific papers have shown that this natural resource is persistently endangered by manners of its utilization, but other factors as well. Quality of water is in danger<sup>43</sup> and potable water supply for the population is not satisfactory.<sup>44</sup>

It is widely known that the largest amount of water in Kosovo is currently used by the population, pursued by agriculture and industry. The existing situation in Kosovo is characterized by a water scarcity both for the population and the industry, irrigation included. This problem will bring limiting effects to the development of many areas in Kosovo. To resolve the water supply matter in Kosovo, large resources are required. Independent to such a requirement, there is a necessity for the water resources to be used rationally, and water quality be preserved.<sup>45</sup>

Based on these estimates, I would consider that in the last decade, Kosovo has made quite large leaps in the field addressed by this paper. Currently, Ko-

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<sup>42</sup> For more, see Kosovo in a, ..., pgs. 26-36.

<sup>43</sup> The largest flowing water amounts pertain to the fourth category. For more details, see Ismet Gusia, cited work, pg. 181.

<sup>44</sup> Ibid, pgs. 180-181.

<sup>45</sup> Ibid, pgs. 182- 184.

sovo has in application two laws addressing water issues, including the use of water. These are the following: the Law on Waters of Kosovo<sup>46</sup> and the Law on Agricultural Land Irrigation.<sup>47</sup>

While the former aims to regulate on matters related to water in a comprehensive way, the latter only provides on irrigation of agricultural lands. The Law on Waters provides on matters of water management, limitations to public use of water, regulation and control on waters, etc. Even from a very narrow analysis of these matters, one may conclude that the purpose of the Law is to ensure a sustainable development and utilization of water resources, which are indispensable to public health, environmental protection, social/economic development of Kosovo, and to ensure protection of water resources from pollution, overutilization and misuse. The majority of provisions of this Law are thought to be of this nature. Meanwhile, aspects of water use in the agricultural sector are provided upon more specifically by the Law on Irrigation of Agricultural Lands. This Law regulates on organization and management of agricultural land irrigation and drainage in Kosovo, competencies and division of responsibilities to entities of irrigation and drainage, establishment and registration of irrigation companies, irrigation water fees, etc. According to this Law (Article 1), the purpose of this law is to create optimum conditions for irrigation of agricultural land in Kosovo and its protection against excessive waters, aiming at increased yields of agricultural products, etc. In fact, the Law provides on utilization of so-called excessive waters for the demands of economic development, in this case agriculture, as one of the most important sectors of development. Hence, it may freely be stated that with these two laws, Kosovo has created a sound legal basis, albeit not a perfect and an unblemished one, on the use of this resource vital to existence and development.

In truth, the fact that in Kosovo there are problems in water supply for the population, irrigation or other issues cannot be justified as a lack of legislation, or inadequate legal provisions.

The key problem is, again, related to enforcement of existing legislation, strengthening of control and accountability systems,<sup>48</sup> but also in the absence of capital investments which would render operational the infrastructure in "Iber-Lepenc" and "Radoniq" Water Systems, and other water bodies available.

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<sup>46</sup> Law no. 2004/24.

<sup>47</sup> See: Official Gazette of the Republic of Kosovo – Law no. 02/ L-9.

<sup>48</sup> Currently, Kosovo faces a rather harsh system of gravel extraction from the rivers. Experiences of the recent years have proven that the users of gravel not only pollute waters, but also damage their amounts, because exploited areas are often left behind without treatment.

### 1.6. Mineral resources and legal aspects of their use

Surveys completed have shown that Kosovo possesses almost all raw minerals, and considerable amounts thereof at that. Consequently, the most important ones are the raw energy minerals, more specifically the lignite,<sup>49</sup> whereby its amount makes for 58% of total reserves. Apart from this, Kosovo is endowed with considerable reserves of lead, zinc, silver, nickel, manganese, etc. Kosovo is also rich in non-metal minerals, such as raw fire-resistant matter, decoration stones, high quality clay, betonies, fresh olivinites, asbestos, and many others. Lead and zinc deposits rank Kosovo in a top position in Europe.<sup>50</sup>

Current data on existing raw mineral matter deposits are to be taken lightly though. This results from the fact that apart from coal, geological explorations are considered to have been insufficient. Therefore, it may freely be stated that in current conditions, an emerging demand is to provide for adequate geological explorations, so as to ascertain the situation of these resources in Kosovo. The purpose of such an activity would be to get to a situation which would guarantee an economic utilization of these natural resources.

In the legal aspect, the matter of mineral resources is provided upon by the Law on Mines and Minerals in Kosovo<sup>51</sup> and the Law on Precious Metal Products<sup>52</sup>. The Law on Mines and Minerals in Kosovo addresses general terms of mining resources, including search, exploration, exploitation, those related to mining and ore processing in Kosovo, etc., and specifically the matter of utilization of these resources. Therefore, in terms of utilization of mineral resources, this Law provides that resources must be utilized in accordance with best international practices and rationality (Article 37). The Law on Precious Metal Products only addresses the matter of metal products from precious materials, such as gold, silver, platinum, copper, etc., an important aspect of their utilization.

Coal, as underlined above, is a large natural resource. It is a very important component of the country's development and general social welfare. The coal is the essential resource used to generate electricity. Considering the great importance of electricity supply, but also continuous problems faced by Kosovo in electricity supply for the population in the last ten years, a project called "New Kosovo" is being designed to increase electricity generation capacities for the whole country. In parallel to that, the Government of Kosovo has drafted an Energy Strategy, which is thought to be a valuable document for the country.

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<sup>49</sup> Ismet Gusia, cited work, pg. 74.

<sup>50</sup> Kosovo in a..., pgs. 42-43.

<sup>51</sup> Law no. 2005/3.

<sup>52</sup> Law no. 2004/28.

Meanwhile, in legal terms, matters related to the manner of utilization of energy capacities in the country have been regulated by the Law on Energy<sup>53</sup> and the Law on Electricity.<sup>54</sup>

While the energy law provides on general terms of energy policies in Kosovo, rules on ensuring a sustainable and efficient energy supply, and use of renewable energy sources, the electricity law provides on matters of generation, transmission, distribution, trade, exploitation, import and transit of electricity.

Generally, Kosovo has been evaluated to have built basic legal instruments to address matters of utilization of mineral resources in the country. These laws, similar to a vast majority of legislation pieces in the country, are thought to be largely compliant to relevant EU Directives, and almost identical to legislation in advanced European countries. This impression is gained when comparing such legislation with relevant laws in other countries, such as Austria, Italy, Croatia, etc. Therefore, one may easily state that Kosovo does not have a problem with legal instruments to a sustainable use of mineral sources and other energy sources, obviously emphasizing again the key problem in enforcing such legal instruments.

## **2. Several laws affecting utilization of natural resources**

Apart from laws mentioned above in the present paper, I thought it was necessary to refer to several other laws, which in a way or another, affect utilization of natural resources of the country, namely affecting matters related to this very important element. I consider that such laws would be: Law on Strategic Environmental Assessment,<sup>55</sup> Law on Agricultural Inspectorate,<sup>56</sup> Law on Economic Areas,<sup>57</sup> Law on Air Protection from Pollution,<sup>58</sup> Law on Hotelier and Tourism Activities,<sup>59</sup> etc.

In fact, these laws generally address specific aspects of the fields they regulate. Nevertheless, their content provides, not rarely, on special aspects of utilization of relevant natural resources. E.g. the Law on Economic Areas provides that any kind of activity may take place in economic areas not affecting the environment, fauna and national resources of the Republic of Kosovo. In any case, definition of economic areas' territories must be built upon an economic feasibility study, including all scientific elaborations.

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<sup>53</sup> Law no. 2004/8.

<sup>54</sup> Law no. 2004/10.

<sup>55</sup> See: Official Gazette of the Republic of Kosovo – Law no. 03/ L-015.

<sup>56</sup> See: Official Gazette of the Republic of Kosovo – Law no. 03/ L-029.

<sup>57</sup> See: Official Gazette of the Republic of Kosovo – Law no. 03/ L-129.

<sup>58</sup> Law no. 2004/30.

<sup>59</sup> Law no. 2004/16.

### **Conclusion**

In my addressing of the legal framework on utilization of natural resources in Kosovo, I have come to the following conclusions:

1. Kosovo, although in surface area it disposes of, is a small country, but is largely endowed in natural resources. The most precious natural resources are estimated to be the raw mineral matters (lignite, zinc, lead, silver, nickel, manganese, etc.), and then the land stock, flora, water bodies, etc.
2. In regulating issues related to natural resources, including aspects of their utilization, Kosovo has adopted virtually all necessary basic laws in the last decade. In general, these laws are considered to be streamlined with relevant EU Directives, and that they are largely similar to laws of other European countries, in their content.
3. There is an urgent demand to provide for proper geological and other explorations, which would shed light on volumes of mineral and other natural resources found in Kosovo.
4. With a view of enabling rational and economizing utilization of natural resources, an urgent demand is to compile a long-term development strategy of Kosovo, obviously built upon the resources found in the country.
5. The most pressing problem, in terms of utilization of natural resources, is the enforcement of existing legislation. In these terms, we must focus on strengthening control and accountability of all authorities mandated to safeguard utilization of available natural resources.