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Debasement in the field of offering in Kosovo

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Abstract

Kosovo as many world countries is facing numerous challenges such as: organized crime, corruption generally, including corruption in the field of tendering. These harmful phenomena are causing dissatisfaction among citizens, especially due to the fact that the punishment of their perpetrators is indicating stagnation and other big uncertainties. Corruption in the field of tendering in Kosovo is manifested in many different forms. The consequences of corruption in the field of tendering, though of different natures, mainly dominate those of economic-social character. This consequence demonstrates the main reflections on the state budget damage and in the loss of interest of international and local businesses to invest in Kosovo. The consequence of corruption continues to be also the flaws segment of country integration into relevant institutions of international character. Of course the biggest concern for the country with the weakest economy in Europe and the youngest population is the fact of not punishing corrupted people who belong to state and political high profile. Evident concerns are noticed also regarding the punishment of medium profile officials, which when accused minimum punishments are imposed to them. Therefore, in public and professional opinion is created the perception that Kosovo responsible state institutions, despite the assistance coming from EULEX, are powerless to win the fight against this social gangrene. For some of the substantive aspects of this fight will be discussed within this short scientific paper.

Keywords: Kosovo, Corruption, punishment, tendering, tender, public officers.

INTRODUCTION

Corruption in general and corruption in the field of tendering as its integral part represents a harmful phenomenon with huge consequences for many countries and people all over the world. Of course, corruption consequences especially strike poor countries who have extremely limited state budgets such is the case with Kosovo. The consequences caused by corruption in the field of tendering are of economic, political and psychological nature etc. This form of corruption damages the state budget, it affects in quality and legality of exercising public services, prevents capital investments, obstructs country's membership in international relevant institutions and when it is appeared at high levels and wide extent it creates the perception that is unbeatable. Kosovo continues to be a country with high level of corruption, whereas the fight against it is considered to be inefficient. It has marked an extent from the top of state pyramid to the foundations of that pyramid. There are numerous international reports, very serious proving this fact. This, and especially Kosovo and

its citizens interest requires that the fight against corruption to be launched in governing and institutional priority generally. Within this article will be attempted to address the following issues: the meaning of corruption in general and corruption in the field of tendering, some manifestation forms of corruption in the field of tendering and its consequences, volume and dynamics, some of the personal characteristics of corruption perpetrators in the field of tendering and the measures to combat it.

The meaning of corruption in general and corruption in the field of tendering

In criminal legislation and legal literature until nowadays is not given any clear and full definition of the notion of corruption.[1] All this is considered to happen for at least two basic reasons: first because the word corruption is a relatively new expression, and the second due to the fact that still is not clear which entirely are criminal acts which would determine the entirety of corruption crime figure.[2]

Despite this, I consider that by word corruption in general terms should be implied different forms of illegal actions which consist in request for giving bribes, accepting bribes, indirect bribery, illicit arbitration, influence trafficking, unlawful payment or requesting illegal gifts, payment of fees which are disproportionate to the services rendered, illegal actions during electoral process, illegal actions committed in order to secure evidence, expertise or false translation during court proceedings on purpose to be issued ordered judicial decisions, actions that target money laundering etc. carried out in order to achieve unlawful advantage.[3]

Finally, by the word corruption in the field of tendering should be implied the illegal actions by which are violated the rules specifying proceedings and tenders managing manners, protected especially by criminal legislation. Such actions consist in taking money and other advantages, respectively in giving orders regarding the money taking and certain advantages from public officials of tender administration within institutions of central and local power.[4]

Some of the manifestation forms of corruption in the field of tendering

Manifestation forms of corruption in the field of tendering are numerous and varied. They consist in accepting bribes, abusing official position or authority and falsifying official document etc. Modest results of this scientific paper prove that in Kosovo during the period of time 2008-2013 Kosovo courts have tried 1457 persons for committing of corruption criminal offences. The used data indicate that during this period of time for corruption in the field of tendering were tried in total 288 persons, of whom 76 were punished.[5]

According to used data for accepting bribes related to tendering during the period of time 2009-2013 from 288 tried cases for corruption in the field of tendering in 117 of them committing action consisted in requesting bribe.[6] Concerning these cases courts imposed punishments to 38 persons. In fact, the number of cases for which State Prosecutor filed an indictment for accepting bribes in exchange for tenders is much higher and for the abovementioned period includes the figure of 153 accused persons. It must be emphasized the fact that some of these cases are pending, whereas a considerable number were dismissed for lack of evidences, statutory limitation on criminal prosecution etc. Among these persons is emphasized to be included Kosovo's government officials, Kosovo Police officials, Kosovo Tax Administration officials, mayors, vice-mayors and directors etc.[7]

However, for abusing official position or authority concerning tendering in Kosovo during the period of time 2008-2012 were tried 87 persons, of whom 21 were punished. In the meanwhile, according to State Prosecution data regarding this criminal offence during the abovementioned period of time were filed 155 indictments. As it results, also concerning this criminal offence, a number of indictments filed are pending, another number is rejected by some of them had withdrawal of the indictment by the state prosecutor due to the lack of evidences.

Finally, for falsifying official document related to tendering were tried 84 persons, of which 17 were punished. Whereas, the State Prosecutor related to this criminal offence has filed 123 indictments. Also, regarding this criminal offence a number of indictments filed are pending, another number is rejected by some of them had withdrawal of the indictment by the state prosecutor due to the lack of evidences.

Some of the consequences caused by corruption in the field of tendering

Corruption in any country in whatever forms it may

[1] Hajdari, 2006, pg. 130.
[2] Hajdari, 2003, pg. 47-48.
[3] Hajdari, 2012, pg. 12.
[4] Hajdari, 2006, pg. 90-91.

[5] See: Kosovo Judicial Council statistical reports (annual and periodical) over the manner of resolving judicial cases for the period of time 2008-2013.
[6] Ibid.
[7] See: Kosovo Prosecutorial Council action plan for corruption cases and filed indictments against those suspected to have committed offences linked to corruption. "Zëri" 15 March 2014.

appear, it causes a numerous consequences, often incalculable. The consequences caused by corruption generally, including corruption in the field of tendering may be of socio-economic, political, psychological nature etc.

Although the consequences caused by corruption are of different types, the consequences of socio-economic nature are those who hit countries the most. In this regard, corruption in general and corruption in the field of tendering represents the social phenomenon that extremely damages the state budget. "It hinders economic investments of potential local and international investors, the construction of modern road infrastructure, the widening of education and health network, the improvement of workers material situation financed from the state budget, retirees and those who need social assistance."[8] These consequences especially hit states who have small national budget such is the case with Kosovo. According to some predictions damage caused to Kosovo by corruption exceed several times the damage caused by other forms of classic criminality, and today they are evaluated to be millions of dollars. It is considered that only in the field of tendering, beneficiaries of tenders are obliged to pay in the account of senior public officials 10-20 % of total monetary value of the tender. The damage here is evident because in the case of capital investments, these senior public officials influence that the tender to be given to the firm who offered the highest price and this is justified in the manner that other companies are not responsible. In this illegal business, according to the public and professional perceptions are included also senior international officials operating within international missions in Kosovo.[9] In this regard, it is worth it to mention the case of tenders in Kosovo Energy Corporation where in 2002 is estimated to have been misappropriated over 4.5 million EURO. Such abuses have been made also in Kosovo Post and Telecom, in customs etc.[10] A typical abuse of tenders has been also the one in the Ministry of Internal Affairs where were misappropriated over 2 million EURO.

The realities of contemporary life indicate that corruption perpetrators in the field of tendering in many countries have powerful influence into political life course. "This situation affects directly also in the presence of social turmoil and different government crisis. It causes stagnation in economic development, in political and institutional reforms, obstacles and difficulties in the integration of country in international institutions and organizations, antipathy towards such state "problematic" etc. In fact, corruption, especially when it is linked with persons who exercise high public functions, it causes also the loss of hope for citizens regarding their and the country's perspective, because it is created the impression that is unbeatable."[11]

Already it cannot be removed the doubts about the impact of corruption in government crisis that have included different countries in Europe and wider. The extreme problems accompanying Kosovo during elections and the progress of establishing central power, but also of local power are evidence of high presence of corruption in the country institutional life.

Besides the socio-economic and political consequences corruption causes also psychological consequences. The fact that as perpetrators of corruption criminal offences mostly appear official persons, it affects to a part of the public opinion to be created the impression that this criminality is unbeatable. The cases of affairs and scandals concerning the doubts for corruption in public services and corporations, infrastructure construction, in printing of biometric passports and the fact of not bringing before justice all those persons for which exist the reasonable doubt that they have committed corruption criminal offences are factors who exercise direct psychological effect in different categories and groups of citizens. This affects in a low level of citizen's participation in elections and other political processes, to the extent that to some individuals may stimulate motives to seek possible ways to be linked with affairs and scandals of this nature.[12]

For the high level of corruption in Kosovo warned also the reports of different international organizations, but also those of country's civil society. In this regard, the report of international organization Transparency International published related to the situation of corruption in the world ranks Kosovo in place 110, with only 2.8 points, respectively in the worst position in Eastern Europe (The report in 2011). Also, according to the findings of Early Warning Report of the United Nations for Development the degree of corruption presence constitutes one of the key challenges for Kosovo in the coming years (The report in 2011). Finally, the report of Freedom House in 2014 warns for the high level of corruption in Kosovo judiciary.

Faced with this situation, it is a legal duty of main institutional factors to undertake every measure allowed by the law and thus take the responsibility they have in fighting any type of crime, including corruption in the field of tendering, in order to return the perspective to the country once and for all.

Volume and dynamics of corruption in the field of tendering

Volume and dynamics of criminality in general,

[8] Hajdari, 2012, pg. 12.

[9] Regarding the tender for printing biometric passports among the defendants is also german citizen NatalijaVeliu.

[10] Hajdari, 2003, pg. 56.

[11] Ibid, pg. 57.

[12] Ibid. pg.. 57 – 58.

Table 1

Accused persons	Convicted persons
431	76

Table 2

Years	The number of convicted persons
2009	9
2010	13
2011	14
2012	17
2013	23
In total	76

respectively a certain type of criminal offences represent criminological categories through which aimed to present the level and movement of corresponding criminal phenomenon during years. In attempting to achieve this goal, in the following will be discussed about these criminal phenomenology categories, of course related to the corruption in the field of tendering in Kosovo.

Corruption volume in the field of tendering

The volume treatment of corruption in the field of tendering as its own goal has the presentation of their presence level in the country. Of course, the real presence presentation related to this type of criminal offences, similar as other forms of criminality, is a complex as well as challenging and unsolvable problem. "This happens due to the fact that accurate volume of criminality appeared in society, regardless of formal identification, almost is not known, because it is never fully identified, is not known entirely, due to the different circumstances prevailing in society".[13] Considering the fact that these circumstances are presented also to the corruption in the field of tendering, then also the statistical data which we refer concerning its volume, must be seen from this point of view with all reservations, which are usually present at researches of this type.

Regardless of this, for purposes of this research in the following table will be presented the data concerning the number of indictments filed for committing of corruption,[14] in the field of tendering[15] and the number of convicted persons concerning this form of corruption[16] during the period of time 2009- 2013. Table 1

According to these data during the period of time 2009-2013 in Kosovo for corruption in the field of tendering were punished 76 persons. As it results, the number of convicted persons (76) is many times smaller than the number of accused persons (431). This situation, based also in the existing public opinion perception for a high presence degree of this corruption form for years in which this research has been focused, it requires that State Prosecution and courts in their work to be more responsible and efficient.

Corruption dynamics in the field of tendering

Also, in the context of manifestation over years, will be reflected the presence level of corruption in the field of tendering in Kosovo during the years 2009-2013. A support point of this reflection will be the number of convicted persons for committing this form of corruption. In fact, in the following table will be presented Kosovo Judicial Council data over the number of convicted persons for committing corruption in the field of tendering by Kosovo courts, during the period of time 2009- 2013. Table 2

According to these data the biggest number of persons (23 perpetrators) for committing of corruption in the field of tendering is punished in 2013, and then in 2012 with 17 punished persons, in 2011 with 14 punished persons

[13] Halili, 1987, pg. 84.

[14] Only during 2013 Anti-Corruption Agency has conducted preliminary procedure regarding corruption doubts in cases, which 128 proceeded to Police and Prosecution. See Annual Report for 2013, info@akk-ks.org, pg. 1-2.

[15] See: Statistical report of Kosovo Police regarding criminal reports filed for the years 2009-2013.

[16] See: Statistical reports (periodic and annual) of Kosovo Judicial Council over the manner of resolving court cases for the period of time 2009-2013.

Table 3

The age of convicted persons	The number of convicted persons
14–18	0
18–28	3
28–38	13
38–48	36
48–58	24
58 onward	00
In total	76[1]

and so on. This table indicates for increasing level from year to year of corruption in the field of tendering. This fact proves that in Kosovo, crime appearance causes have indicated tendency in favor of this form of corruption, instead the opposite. Therefore, it is required from responsible institutions to increase the level of exercising their legal authorizations for eradicating the causes of crime and its fighting in the coming years.

Some personal characteristics of perpetrators of corruption in the field of tendering

Criminality in general, therefore also some types of criminality in particular, cannot be explained entirely in their complexity without being studied and solved also some personal and social basic characteristics of these behavior's, because criminality as a general phenomenon is manifested through committing concrete criminal offences.[17] Bearing in mind this fact, in the following will be discussed about the age, gender, educational level and corruption perpetrators profile in the field of tendering.

The perpetrator's age

Age is an important characteristic of the criminal phenomenon that it has a special weight in explaining criminal behaviours.[18] Numerous statistical data from judicial practice, as well as criminological researches data prove that perpetrators belong to persons of different ages. This fact is present in all criminal offences, and thus also at corruption in the field of tendering. The results of this paper prove that the perpetrators of corruption in the field of tendering are mainly adults. In the following table will be presented the age of convicted persons for committing corruption in the field of tendering during the period of time 2009-2013. Table 3

According to these data the corruption in the field of tendering substantially were committed by persons of ages between 38-48 years, in 36 cases, and then come the persons who belong ages between 48-58 years with 24 cases, the persons of ages 28-38 with 13, and the persons of ages 18-28 with 3 cases and so on. The committing of the biggest number of corruption in the field of tendering by persons of ages 38-48 and 48-58 it is explained by the fact that persons of these ages are mostly engaged in official duties including these dealing with management tendering procedures, that is why this group of persons has come to a situation that more often to commit these criminal offences.

The perpetrator's gender

Also the gender, similar as the age presents an important characteristic of criminal phenomenon that has a certain importance in explaining criminal behavior's. There is a general impression that criminality is a typical phenomenon of masculine gender.[19] Numerous researches conducted for different forms of crimes in many world countries prove this fact. This tendency is noticed also in committing corruption in the field of tendering. Consequently in the following table will be reflected the gender of convicted persons for committing corruption in the field of tendering during the period of time 2009-2014. Table 4

Such high participation of males in committing of corruption in the field of tendering should be explained by the fact have been males which over 90 % of cases have managed with tendering procedures.

[17] Ačimović, 1976, pg. 7 – 8.

[1] See: Statistical reports (periodic and annual) of Kosovo Judicial Council over the manner of resolving court cases for the period of time 2009-2013.

[18] Halili, 2000, pg.76.

[19] Halili, 2000, ,pg. 77.

Table 4

The gender of convicted persons	The number of convicted persons
Male	71
Female	5
In total	76[2]

Table 5

Educational level of convicted persons	The number of convicted persons
Without a complete primary education	00
With primary education	00
With secondary education	23
With faculty	53
In total	76[3]

Table 6

The perpetrator's profile	The number of convicted persons
Official	17
Senior officials	59
In total	76[4]

The perpetrator's educational level

Numerous criminological researches consider education as an important factor in prevention of criminality. This fact is proven also by modest results of this paper. What is the participation degree of convicted persons in committing corruption in the field of tendering during the period of time 2009-2014 based on the perpetrator's educational level is best proved from the data that will be reflected in the Table 5.

According to these data the biggest number of convicted persons for committing of corruption in the field of tendering belongs to the persons with superior education (faculty). These persons participate in committing this form of corruption with 53 cases, and then come persons with secondary education in 23 cases. As perpetrators from persons without a complete primary education and with complete primary education is not appeared any person. The highest degree participation of persons with superior education in committing corruption in the field of tendering also should be seen in their commitment level as officials in tendering procedures, but without excluding other influential factors, as may be those linked with their commitment at leading positions through public institutions of the country.

The perpetrator's profile

Numerous data from judicial practice and criminological researches prove that the biggest number of corruption perpetrators derive from the rank of senior public officials. This fact is proven also by the modest results of this paper. In the following table will be presented the data on the profile of convicted public officials for corruption in the field of tendering during the period of time 2009-2013.Table 6

According to these data from 76 convicted persons 59 of them were senior public officials. Among these officials there are no convicted persons from minister or mayor profile, even though in most of the cases they are the ones who influence in the decision for giving tenders, especially big tenders.

The rest of sentenced persons (17) were officials. Such

[2] See: Statistical reports (periodic and annual) of Kosovo Judicial Council over the manner of resolving court cases for the period of time 2009-2013.

[3] See: Statistical reports (periodic and annual) of Kosovo Judicial Council over the manner of resolving court cases for the period of time 2009-2014.

[4] See: Statistical reports (periodic and annual) of Kosovo Judicial Council over the manner of resolving court cases for the period of time 2009-2013.

high number of committing corruption in the field of tendering by senior public officials is explained by the fact of their higher involvement in management and application tasks of tendering procedures within Kosovo public administration.

Some of the measures for preventing and fighting corruption in the filed of tendering

For preventing and fighting corruption in the field of tendering states use different methods and means. All the measures used for fighting corruption in the field of tendering may be divided into: preventive and repressive measures.

Preventive measures

By the word preventive measures is understood the entirety of actions undertaken by a wide circle of state entities in order to prevent criminality appearance as socio-pathological phenomenon, through eliminating and combating causes and conditions who determine it.[20] Preventive measures undertaken in order to prevent the committing of corruption in the field of tendering may be numerous and varied.[21] Such measures considered:

Whereas by measures of special nature is understood the measures undertaken by judicial bodies and other social and state entities of certain community. These measures concerning criminal offences against voting rights should be focused in:

1. Issuing of respective legislation;
2. Establishing the effective mechanisms against corruption;
3. Efficient exercise of responsibilities by the police, state prosecution and courts with the purpose of detecting, prosecuting, arresting and punishing perpetrators of these criminal offences;
4. Better work organization on security issues and the re-socialization of prisoners in penitentiary institutions, in order to avoid recidivism cases.
5. The advancement of international cooperation level between Kosovo police, state prosecution and courts with other states and specialized institutions for combating crime (Interpol and Europol);
6. Supervision and control of property and gifts of public officials;[22]
7. Capacity building on issues related to public procurement (staff training);
8. Establishing a proper strategy against corruption;
9. Increasing the level of social education;
10. Advancing working level of state control services (inspections, audit authorities etc) in Kosovo public administration worketc.

It is evident that implementation of these and other measures of this nature in Kosovo did not have a good performance during these transition years. In this regard, is estimated that undertaking such measures is the best guarantee of long-term fighting corruption in the field of tendering in Kosovo.

Repressive measures

Repression is another form of social reaction against criminality. That job is entrusted mainly to bodies and specialized organizations, in the first place of those state (police, prosecution, courts execution sentences bodies etc.). Repressive measures are foreseen by the law and as such are intended to protect life and other human values and society from criminal acts.[23]

Repressive measures used for fighting corruption in the field of tendering can be of two types: the policy of detecting and prosecuting of corruption perpetrators in the field of tendering and the policy of application criminal sanctions against their perpetrators.

The policy of detecting and prosecuting of corruption perpetrators in the field of tendering

Detecting and resolving of corruption in the field of tendering and its perpetrators is very important in combating this form of criminality. The detection of this criminal phenomenon is very significant also in decreasing its dark number. It is considered that until now in Kosovo is not done enough in detecting corruption in the field of tendering. The reasons for this are numerous and varied "They first of all have to deal with the committing circumstances of this form of corruption,[24] but mostly with inadequate treatment by competent bodies regarding this form of corruption and its perpetrators (negligence in detecting and fighting).[25]

Apart from detecting and identifying corruption in the field of tendering a key issue in order for justice to prevail against crime is the detection and bringing to justice its

[20] Milutinoviq, 1987, pg. 388.

[21] Action plan against corruption by OSCE published on October 2008 addresses a number of administrative and judicial nature measures which should be undertaken by Kosovo responsible institutions in order to set on the right track fighting corruption issue. This report qualifies this fight as an economic and social priority for the country.

[22] For this broadly see: Annual report of 2013 of Anti-Corruption Agency, ,info@akk-ks.org, pg. 1 and 2.

[23] Hajdari, 2003, pg. 124-125.

[24] Hajdari, 2002 pg. 252.

[25] Hajdari, 2003, pg. 127.

perpetrators. The results of this paper prove that in this regard, despite the results achieved, regarding police and prosecution work were manifested significant stagnations. These stagnations usually were expressed in the investigation of senior public officers (ministers, deputies, judges, prosecutors etc.) "Thus, according to the Kosovo Police data for the period of time 2008-2013 were filed 798 criminal reports related to the corruption phenomenon in public administration. Among the investigated persons, is included the name of only one minister.[26]

After detecting corruption perpetrators in the field of tendering, in order for the fight against this form of corruption to achieve desired effects is indispensable that perpetrators be prosecuted and arrested. The results of this paper prove that during the period of time 2009-2013 for corruption in the field of tendering were arrested 321 persons, of whom 287 were released after expiration of deadline from 48 hours of their arrest.[27] The data used prove that so far for corruption in the field of tendering are being held in custody 18 persons.

To achieve a more successful fight against corruption in public administration is required an advanced commitment of authorized bodies for combating crime (police, state prosecution, courts, Anti-corruption agency etc.) de-politicization in the work of these bodies, cooperation and professional teamwork which in matters dealing with the fight of this form of corruption are more than necessary.[28]

The policy of application criminal sanctions against corruption perpetrators in the field of tendering

Successfully combating corruption in public administration may contribute significantly, by applying the appropriate penal policy in the field of criminal sanctions application. "In this regard, the main role belongs to punishments imposed against perpetrators of criminal offences in criminal proceedings".[29] In this case, is understood in adequate punishments, such that are in line with social dangerousness degree of the offence and its perpetrator.

Modest results of this paper prove that during the period of time 2008-2013 courts have punished by imprisonment 23 persons, which were punished by an average of 1 year and 7 months imprisonment; punishment by fine 15 persons; suspended sentence31 and other punishments 7 persons. It is worth it to emphasize the fact that during this period of time has come to statutory limitation of 33 cases for which indictment has been filed.[30]

These data prove that Kosovo courts against perpetrators of corruption in the field of tendering have applied relatively soft penal policy as well as in their job it has been noticed a considerable work negligence.

Bearing in mind the high level presence of corruption in the field of tendering in Kosovo, and especially the major consequences this form of corruption is causing to the country, especially in economic aspect, but also political and integrating ones I consider that courts regarding this phenomenon is supposed to aggravate to the maximum penal policies and given top priority to corruption cases. As long as this approach will be absent, the damage that Kosovo will incur will be very large, whereas the strength to fight this form of corruption could be weakened even more.

CONCLUSION

Corruption in the field of tendering in modern societies is manifesting new and very dangerous forms. This corruption, regardless of the appearance form, poses a serious crime that causes numerous social and psychological consequences etc.

In this paper is ascertained that corruption in the field of tendering causes numerous consequences, considerable material and financial damage. It damage directly the state budget, which obstructs economic investments, building infrastructure, the improvement of workers material position financed by state budget and those who need social assistance. This type of corruption causes various governmental crisis, and psychological depressions as well as stimulation for criminal activity of individuals and criminal groups.

According to Kosovo Judicial Council data during the period of time 2009-2013 in Kosovo for committing of corruption in the field of tendering were punished 76 persons. This number of convicted persons seems symbolic in comparison to the number of 798 persons of whom were filed criminal reports, and especially the level of public opinion perception that there is a high degree of this form of corruption in the country.

In prevention of corruption in public administration a special importance has the consolidation of democracy and rule of law as well as the de-politicization of state

[26] See Kosovo Police statistical reports regarding filed criminal reports during the years 2008-2013.

[27] See: Statistical evidence of State Prosecutor over indictments filed during the years 2008-2013.

[28] This is due to the fact that with commission of this form of corruption mainly deal high professional prepared persons, persons with high positions in state bodies and public services, which by using sophisticated committing methods leave no crime trace behind.

[29] Milutinoviq, 1987, pg. 258.

[30] See Kosovo Judicial Council (annual and periodical) statistical reports over the manner of resolving cases for the period of time 2008-2013.

administration and public services. In order for this to happen is necessary for judicial bodies to increase the efficiency of their work.

In combating and preventing corruption in the field of tendering the role of criminal legislation is very important, because by incrimination of dangerous behavior's, it affects preventively against citizens who refrain from committing criminal offences, and support the necessity for it to be efficient and implemented, in order to provide acting wide opportunities to criminal judicial bodies.

In fighting corruption in the field of tendering is very important the appropriate punitive policy. This policy in Kosovo is estimated to be soft and insufficient in order to fight effectively this form of corruption. Therefore, I consider that an aggravation of punitive policy can be an important contribution in decreasing this form of corruption.

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