

## **Phenomenological Dimension and Punitive Reaction to Juvenile Crime**

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### **Abstract**

This paper focuses on elaborating and analyzing the state of criminality from the phenomenological dimension and the reaction to juvenile crime in Kosovo in the 2017-2019 research period. In the paper, after the conceptual definition of juvenile delinquency, we will analyze the statistical data of juvenile delinquency registered in the prosecutor's office, their dynamics, such as the imposition of diversity measures, educational measures and punishments in the three-year research period. The purpose of the research is mainly focused on the registered criminal offenses committed by minors and the imposition of diversity measures, educational measures and punishments against minors for committing criminal offenses in Kosovo. The approach to dealing with this topic lies in the recent concerns about the increase in the percentage of juvenile delinquency in Kosovo, especially the increase in the percentage in the Gjilan Region. The method that is used to analyze the phenomenological dimension and criminality is the desk-research method. Given the topicality of the topic, the scientific approach, we estimate that the results of this research-scientific paper will serve the competent bodies and institutions for the prevention and fight against this negative phenomenon in Kosovo.

**Keywords:** Minors, Juvenile delinquency, diversity measures, educational measures, juvenile detention.

### **Introduction**

Crime is an anti-social behavior that conflicts with legal and moral norms of behavior (Maloku, 2019, 2021). According to Milutinović (1988, 2004) crime consists of criminal offences defined as violations of the norms of the Criminal Code, by persons called delinquents/criminals (legal determination), and criminal behavior as a product of social life in general (sociological determination). The problem of young people as perpetrators of crime is becoming more and more topical both in the world and in our country as well. The origin of this dangerous phenomenon is as old as human society itself and manifests itself in different dimensions and forms under the influence of the economic, social, and political developments of societies in all countries.

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Juvenile delinquency is the occurrence of socially inappropriate behavior of a special structure of the population, which is no longer considered a child and has not reached the stage of adulthood in its development. A minor is a person of a particular age category and bio-psychic characteristics. Jasarević & Maloku (2021a, 2021b), differ from adults in the degree of emotional and intellectual maturity, awareness of their actions, and responsibility for their behavior.

Juvenile delinquency is a phenomenon or legal and social reality that transcends national geographical boundaries given its criminal nature and certain specificities as well as its undeniable multidisciplinary and multifactorial in terms of criminal etiology. Also, in this sense, we can state without question that phenomenological forms of juvenile delinquency deserve special attention from the scientific and professional public, as they are increasingly taking on a destructive dimension. According to Karović, et al., (2020), understanding the phenomenology of juvenile delinquency underlines the need for a comprehensive approach to assessing the causes of this criminal behavior.

This phenomenon was researched in Kosovo, tracking the movements of the juvenile delinquency recorded in the three years (2017-2019), i.e. juvenile delinquency recorded by the police and prosecution and juvenile offenders sentenced by the court as perpetrators of criminal offense. Juvenile delinquency in Kosovo analyses the structure and dynamics of delinquency and the response of the punitive reaction to juvenile crime in Kosovo based on quantitative indicators of juveniles registered as perpetrators of criminal offences (prosecution) and juveniles who have been imposed educational and sentencing (with final judgments by the court). The disadvantage of this research is that the quantitative indicators have to be interpreted from their qualitative side.

### **Methodology**

The specific area of the nature of the most favorable and sensitive special treatment of juvenile offenders leads to an increased interest in this area. The method that is used to analyze the phenomenological dimension, as well as the imposition of diversity measures, educational measures, and sentences on juveniles, is the literature search method. The used statistical data are those relating to accused minors and persons with diverse measures, educational measures, and sentences imposed on minors who commit criminal offences. Annual statistical reports of the Kosovo Statistics Agency, data from the Public Prosecutor's Office, as well as data from the courts for the period 2017-2019, were used as data sources. Juveniles accused and against whom diversity measures, educational measures, and sentences have been imposed on juveniles for criminal offences are presented in the three-year survey period according to the basic courts in Kosovo: as follows: The Basic Court of Pristina with headquarters in Pristina; Basic Court of Gjilan based in Gjilan, Basic Court of Prizren based in Prizren; Basic Court in Gjakova with headquarters in Gjakova; Basic Court of Peja based in Peja; Basic Court of Ferizaj based in Ferizaj; Mitrovica Basic Court based in Mitrovica.

## **Results**

From the point of view of Bailey & Scott (2008), the notion of delinquency is legal and encompasses behaviors by which a person violates legal rules, customs, and social norms. Juvenile delinquency covers the age range from the initial age when an adolescent can be held criminally liable, over the years when prosecuted under juvenile law, to the upper age limit when treated before the law and the adult court. In most countries, this age range ranges from 14 to 18 years, although in some countries the lower age limit is moved to 10 years, to even to 21 years.

As laws and regulations of different countries are shaped according to their own social, cultural, and political experiences, the age of criminal responsibility varies in each country. For example, it is 8 in Scotland, 10 in England, 12 in Canada and Turkey, 14 in Germany and Japan, 15 in Scandinavian countries, 16 in Spain, and 18 in Belgium (Ozen, 2005). In Kosovo, the perpetrator of a juvenile is a person who at the time of the commission of the criminal offense was 14 years old but did not turn 18 years old.

Juvenile delinquency is an integral part of general delinquency, but due to the age of juveniles and many other sociological, psychological, criminal-political, legal, etc. The characteristics of the criminal law of current states, without considering the diversity of crimes, juvenile criminal offenses have a different treatment, gentler, more favorable treatment compared to adult criminal offenses. This most favorable treatment is present in the field of material, procedural, and penitentiary criminal legislation. (Salihu, 2018) The educational measures that can be imposed on a juvenile perpetrator are disciplinary measures, enhanced supervision measures, and institutional measures. The penalties that can be imposed on juveniles are fines, warrants for community service, and imprisonment for juveniles.

Only educational measures are imposed on young juveniles aged 14-16. In principle, adult juveniles from the age group of 16-18 are also subject to educational measures, but in certain cases by law, the measure of imprisonment for juveniles may be imposed. The terms most often used for juvenile delinquents are neglected youth, delinquents, juvenile delinquents, stumbled children/youth, hooligans, and thugs.

### **Dimensional phenomenology and criminality and diversity and massiveness of diversity, massiveness of education and denial of death.**

Registered minors in the three-year investigation period, the total number of defendants reported as perpetrators of panel offenses is a total of 88,151 (2019-30418, 2018-29875, 2017-27858). In addition to these criminal offenses we have 84,807 accused as major perpetrators of criminal offenses (the year 2019- 29405. 2018- 28696, year 2017-26706). If we look at the participation of juvenile defendants aged 14-18, as perpetrators of criminal offenses in percentage of relation to the total number, we see that this participation is with a percentage of 3.79% or 3344 (2019-1013; 2018-1179; 2017-1152.) of juvenile perpetrators of criminal offenses.

During the analysis for the three research years, we see that the number of juveniles accused of committing criminal offenses in 2019 is with a participation of 3.33% or 1013 juvenile offenders charged with criminal offenses. In 2018 the participation was 3.94% or 1179 juvenile offenders charged, while in 2017 we had 4.13% or 1152 juvenile offenders charged.

From these data, it was found that the participation of juvenile defendants in the total number of defendants as perpetrators of panel offenses in the research period ranges from 3.33% (2019) to 4.13% (2017). From these data, it is noticed that the participation of juveniles in the population of reported perpetrators of criminal offenses has decreased during the last two years.

#### **(a) Data on criminal proceedings**

The territorial distribution of the reported crime is shown through data from the following seven Basic Courts: The Basic Court of Pristina; Gjilan; Prizren; Gjakova, Peja. Ferizaj and Mitrovica. Juvenile delinquency reporting rate, systematized data show that in the three-year research period, of the total number of juvenile offenders reported in the listed total, Pristina Region has the largest participation of 37.56%; Gjilan / Gnjilane region has a score of 19.25; Ferizaj region of 16.06%; Prizren region 12.23%; Mitrovica region 5.92%; Peja region with 4.46%; as well as the Gjakova Region with the lowest turnout of 4.42%.

From these data that were seen, it remains for future criminological research to investigate and analyze why this rate in the Gjakova Region is significantly lower by 4.42% than the Gjilan Region which has a much higher figure than other regions (except the capital Prishtina) with a percentage of 19.25%. For criminologists, the data are also interesting juvenile delinquency in the capital of Pristina with a turnout of 37.56%; (i.e. more than 1/3 of the total juvenile defendants in the investigative period).

#### **(b) Data on authors**

Gender differences in deviant behavior are a common finding in social science research. Girls usually show less delinquency, less drug use, less xenophobia, and less violent behavior than boys. This finding appears to be the best across cultures as well (Hadjar,2007). These findings of research in the three years are also in this research. Gender structure: out of the total number of reported juvenile perpetrators (see Table 2) in the three-year research period, 3.95% (or 132 accused juveniles) of perpetrators were female, which is an average approximate for three research years (2019 - 4.24%; 2018 - 3.48%; 2017- 4.17%). When looking at the structure of accused juveniles reported according to national affiliation, it is seen that Albanians dominate with an inclusion of 97.22% (or with 3251 accused juveniles); Serbs with 1.67% (56 juveniles charged); others with 0.78% (or with 26 accused juveniles), Turks with 0.27% (or with 9 accused juveniles) and the participation of foreign juvenile delinquents with 0.06%. (or with 2 accused juveniles).

#### **Convicted Juveniles**

In 17 years (2003-2019) monitored, the number of convicted juvenile offenders is 9807 convicted persons. The number of juveniles convicted in the three years 2003-2005 has the lowest inclusion in 17 years. In 2003 we had a participation of 2.94% (or 288 convicts); in 2004- with a participation of 3.45% (or 338 convicts); in 2005- with a participation of 2.34%. (or with 229 convicts).

The following periods 2006-2009 have a large increase compared to the period 2003-2005. This increase is reflected in the percentage as follows: the year 2006- there is inclusion with a participation of 6.78% (or with 665 convicts); the year has inclusion with a participation of 2007- 6.61% (or with 648 convicts); the year 2008 has inclusion with a participation of 7.33% (or with 719 convicts); the year 2009- there is involvement with a participation of 7% or 686 cases.

The three-year period 2010-2012 is a period that has a rapid decline compared to the period 2006-2009. This decline is reflected as follows: year 2010- there is inclusion with a participation of 3.46% (or with 339 convicts); 2011 - has involvement with a participation of 3.82% (or with 375 convicts); year 2012 - has an inclusion with a participation of 4.83 (or 474 convicts).

The seven-year period 2013-2019 does not show unexpected changes; the coverage for the whole period is: 786 persons convicted in 2013; in 2014, a maximum number of convicted juveniles was registered during the 17 years, with a percentage of 8.57 (or 840 convicted juveniles); 2015 has an inclusion of 5.74% (or 563 convicted juveniles); 2016 has an inclusion of 7.06% (or 692 convicted juveniles), 2017 has 7.81% (or 766 convicted juveniles); year 2018 has a share of 7.27 (or 713 convicts) and year 2019 has a share of 7% (or 686 convicted juveniles).

If we look at the gender structure of convicted juveniles in the period 2003-2019, it is noticed that the inclusion of females is extremely low with a percentage of 2.95% (or 290 convicted persons in 17 years. The phenomenon of "crime loss" also exists in juvenile offenders and this loss is significantly lower than in adults. Thus, in the research period 2017-2019, out of the total number of accused juveniles of 3344 persons, 64.74% were convicted (or 2165 juveniles convicted according to table no. 5). The structure of crime of juveniles reported for the three-year research period confirms that in Kosovo, juveniles are most often convicted of:

Criminal offenses against property - are criminal offenses where juveniles during the research period were convicted mostly with inclusion of 24.43% (or 529 convicted juveniles) from 2165 (see the table in table no. 5) juveniles convicted in the period research (see table no.5). For the criminal offense of theft (Article 325 KPRK-2012 and Article 313 KPRK-2019) 98 juveniles were convicted, while for the criminal offense of co-perpetration of the criminal offense of theft (Article 325-31 KPRK, 2012/2019), 74 juveniles were convicted. For the criminal offense of aggravated theft (327 KPRK-2012, 315 KPRK-2019) 159 juveniles were convicted, while for the criminal offense of co-perpetration of aggravated theft (327-31 KPRK, 2012/2019) 198 juveniles were convicted.

Criminal offenses against life and body - according to the data in table no.4. it can be seen that these are criminal offenses where juveniles were convicted in the investigative period with a percentage of 23.56% (or 510 convicted juveniles). If we analyze the involvement of criminal offenses in crimes against life and body, we see that for the criminal offense of threat (Article 185 KPRK-2012 and Article 181 KPRK -2019), 56 people were convicted in the investigation period. Whereas, for the criminal offense of minor bodily injury (Article 188 KPRK-2012, and 185 KPRK-2019) 243 juveniles were convicted. In the offense of co-perpetration of the criminal offense of minor bodily injury (Article 188-31 KPRK 2012/2019), we have 211 juveniles convicted in the investigative period. From what was seen above, it is concluded that juveniles have been convicted for criminal offenses against life and body with -0.87% compared to criminal offenses against property.

Criminal offenses of weapons - from table no. 4 it can be seen that juveniles have been convicted for these criminal offenses (Article 374 KPRK-2012 and Article 366 KPRK-2019) with a percentage of 5.13% (or 111 convicted juveniles) in the research period. It is worth mentioning that the years 2017 (49 convicted juveniles) and 2018 (42 convicted juveniles) are very different from the last research year of 2019, where there is a decrease of -145 convicted juveniles compared to the year 2017, and compared to the year of 2018 we have a drop of -110%.

Narcotics criminal offenses - are criminal offenses (Article 275 CCRK-2012, and Article 269 CCRK-2019) of Chapter XXIII of the Criminal Code of Kosovo, where juveniles according to table no. 4 were deported in the research period with a percentage of 3.14% (or of 68 convicted juveniles), The inclusion of juveniles in these criminal offenses is characteristic that in 2018 there is an increase of + 260% compared to 2017, and in 2019 there is an increase of + 120% compared to 2017. The Juvenile Justice Code regulates the procedure for the imposition and execution of measures and sentences against juveniles as well as the mediation procedure.

Educational measures are considered basic measures in the context of measures and punishments applicable to juveniles. With the imposition and execution of these measures, rehabilitation, protection, and assistance to juvenile perpetrators of criminal offenses are exercised in a more efficient manner than with other sanctions against juveniles. This in most cases is done without isolating them from the previous family and social environment. Educational measures are a special type of criminal sanctions that can be imposed on juvenile offenders. They take precedence over imposition over any other criminal sanction (Milutinović, 2004) and they exclude the application of juvenile imprisonment (Obretković, 1993). Educational measures that may be imposed on juveniles are judicial reprimand, enhanced oversight measures, and institutional measures. In the three-year research period (2017-2019) the following measures have been imposed:

**Measures of intensive supervision** are educational measures that occupy a central place in the system of criminal sanctions for juveniles in Kosovo. These measures by their nature and content are considered to be very appropriate for the realization of the concept of combating juvenile delinquency, without depriving imitation of liberty. These measures are most often imposed in court practices against juvenile offenders. Even in the three-year research, these measures are mostly Albanian. According to the data presented in Table 5, in the observed years the court has imposed the educational measure increased supervision measures with a maximum of 54.50% (or 1180 juveniles with the educational measure imposed by the court).

**Judicial admonition** is the mildest measure that can be imposed on a juvenile offender. With this measure, the court reprimands the juvenile delinquent and warns him that he has committed a criminal offense which the society in the social and ethical aspect evaluates negatively, badly, and harmfully and that in the future he should not commit any criminal acts. (Hajdari, 2019). With a court reprimand in the investigative period, the court imposed the educational measure by 20.37% (or 441 minors with the educational measure imposed by the court).

**Institutional educational measures** are the most severe type of educational measures. With institutional measures, the juvenile perpetrator of the criminal offense is deprived of liberty and placed in special institutions of education and rehabilitation. These measures are imposed on juveniles against whom longer-term measures should be taken to educate, re-educate, and train them. As well as in cases when it is necessary to separate them from the environment where they live (Salihu, 2005). Institutional educational measures given in Kosovo in the three-year research period are at a percentage of 5.31% (or 115 minors with the educational measure pronounced by the court).

Measures of enhanced supervision, as measures of extra-institutional character, are of great importance in preventing and combating deviant behaviors of juveniles. They are finding wide application in the case law of many states. This is because by their nature and content, they are more suitable for the realization of the concept of combating juvenile delinquency, without depriving the juvenile of liberty (Salihu, 2005). The percentage of juveniles who have been imposed this educational measure in the research period is 0.14% (or 3 sanctioned juveniles).

**Disciplinary measures** against juveniles are considered the easiest educational measures that can be imposed on juvenile offenders. These measures are mainly imposed for minor criminal offenses. Disciplinary measures are imposed when the court finds that the effect of education with short-term measures can be achieved against the juvenile perpetrator of a criminal offense, especially if the offense was committed through recklessness or negligence (paragraph 2 of Article 20 of Article 20 of the Code of Justice for Juvenile -2010), usually for juveniles who commit criminal offenses due to lack of personal responsibility for their actions

who have not developed a sense of the necessity of respecting social discipline. The implementation of these measures assumes that juvenile delinquency lives in a social environment that enables development and a fair education, so it is not necessary to impose that educational measure which would separate the juvenile from the environment in which he lives. We emphasize again that these measures will be imposed if the court finds that it is not necessary to impose long-term educational measures (Salihu,2005). In the investigative period, judges with the educational disciplinary measure imposed a total of 63 measures (or with a percentage of 15.50%) against juveniles in Kosovo. In the research period, the measure sent to a disciplinary center had a participation rate of 0.65% (or 14 minors with the educational measure imposed by the court). With the amendment of the legal provisions of 2018 of the Juvenile Justice Code, this measure has been abolished. To prevent and fight crime, it is necessary to react in some cases to juvenile perpetrators of criminal offenses with criminal sanctions that are stricter than educational measures and which have the character of punishment. The penalties that can be imposed on juveniles are fines, community service orders, and juvenile imprisonment.

**Punishment of a fine-** is a punishment of property character which consists in imposing the obligation of the perpetrator of the criminal offense to pay a sum of money to the state account within a certain deadline (Hajdari, 2019). Among the main sentences, the fine sentence represents the lightest of the sentences. The fine is especially suitable for cases of committing minor criminal offenses, but it can also be restrictively applied in the case of secondary crime. (Salihu, 2005). With the imposition of the sentence 'with fine' in the three-year research period in Kosovo were sentenced with a percentage of 0.83% (or 18 convicted juveniles).

**Order for community service work** – is the second type of punishment that can be imposed on juvenile perpetrators of criminal offenses provided by the Code of Juvenile Justice specifically in Article 32 paragraphs 1-7. During the three years (2017-2019), we are told that during this period 120 special decisions were issued - orders for community service (or 5.54% of the total imposition of measures and sentences on juveniles as perpetrators of criminal offenses).

**Juvenile imprisonment** – is the most severe type of punishment that can be imposed on juvenile offenders. With this type of sanction, the juvenile is deprived of freedom of movement. Juvenile detention may be imposed only with exceptions and for the types of very serious criminal offenses and if the conditions which are specifically provided for in the Juvenile Justice Code are met. However, 9.75% of juvenile perpetrators of criminal offenses were sentenced to the most severe punishment imprisonment for juveniles in the investigative period.

In the research period (2017 - 2019) the number of convicted juveniles is 2165. If we look at table no. 6, does not show unexpected changes during the research years, the total number of juvenile convicts for the entire period is 2165 persons. From the three years of research observed, the phenomenon of "crime



loss" also exists among convicted juveniles. In 2017, we had 1152 juveniles charged by this figure, and only 766 juveniles were convicted, so the phenomenon of "crime loss" in 2017 is - 50.40%. In 2018 we have 1179 accused minors. while from this figure are 713 convicted juveniles. In 2018, the phenomenon of "crime loss" is - 65.36%, if compared to 2017, this percentage of "crime loss" in 2018 is higher at + 14.95%. In the last research year of 2019, we have 1013 juveniles accused and this figure is 686 juveniles convicted, the phenomenon of "crime loss" in 2019 is 47.68%, a percentage that if compared to 2017 is higher decreased by only -2.72%, while compared to 2018 it is -17.68%.

In the three-year research period, if we look at the phenomenon of "crime loss" by gender, then in 2017 we had 48 accused farming persons and from this figure, 40 juveniles of this gender have been convicted. The phenomenon of "crime loss" by gender in 2017 is -20%. Whereas in the same year, we have 1104 male juveniles accused and from this figure, 766 juveniles have been convicted, so the phenomenon of "crime loss" by males is -44.13%. In 2018, there were 41 accused female juveniles and in the same year, 33 female juveniles were convicted. The phenomenon of "crime loss" by female gender is -25.81%. In the same year, we had 1138 male juveniles accused and this number is 680 juveniles. The phenomenon of "crime loss" by males in 2018 is - 67.35%. In the last research year 2019 we have 43 accused juveniles of female gender and from this figure are 39 juveniles convicted, in 2019. The phenomenon of "crime loss" by female gender is -10.26%. Whereas in the accused persons according to the male gender in 2019 we have 970, while from this figure 647 persons have been convicted / The phenomenon of "crime loss" according to the male gender in 2019, is -49.92.

According to the national affiliation, the number of convicted persons in the three-year research period is the largest of that of Albanian nationality with 3251 accused persons, and from this figure, we have 2112 convicted persons. The phenomenon of "crime loss" according to Albanian nationality is -53.93%. There are 56 Serb juvenile accusers, of which 32 were Serbian juvenile accused in the investigation period. The phenomenon of "crime loss" by Serbian nationality is - 75%. In the research period, the number of others (including Bosnians, Gorani, Roma, Ashkali, and Egyptians) charged is 26 minors and from this figure, 13 juveniles were convicted in the research period. The phenomenon of "crime loss" according to other nationalities is -100.00%. Turkish juveniles in the research period are accused of a total of 9 people, of which 5 people were convicted. The phenomenon of "crime loss" according to Turkish nationality is -80.00%. Finally, the participation of juvenile foreigners in the three-year research period is with 2 accused persons and 2 convicted persons.

## **Discussion**

From the results of the research, we see that the participation of juvenile delinquents in the commission of criminal offenses in proportion to adult persons in recent years is increasing compared to previous years. The authors Dimovski and Mirić (2013), in their work on the policy of combating juvenile delinquency

as a determinant of social development, emphasize that juvenile delinquency, in its structure and social danger, brought criminality closer to adulthood. In Kosovo, juvenile delinquency is not offered much to adult perpetrators. According to the research, it is seen that in the three years of the research, the total reported number of accused as perpetrators of panel offenses is a total of 88,151. From these criminal offenses, we have 84,807 accused as major perpetrators of criminal offenses. If we look at the participation of juvenile accused 14-18 years old, as perpetrators of criminal offenses in percentage of the total number, we see that this participation is 3.79% or with 3344 juvenile offenders. In the member states of the European Union, juvenile delinquency is estimated at an average of 15% of all crimes which can increase up to 22%. (Conclusions of the European Economic and Social Committee on the prevention of juvenile delinquency (2006 / C 110/13), page 3. point 1.4). According to statistical data, it is seen that juvenile delinquency in Kosovo is to a considerable extent present in the overall structure of crime. (Hajdari, 2005)

A phenomenon that is worth considering and treating especially is the gender structure of juveniles convicted in the period 2003-2019, in various criminal offenses of delinquents during this period, it is noticed that the involvement of women is extremely low with a turnout of 2.95% (or 290 convicted persons in the 17 years. Juvenile delinquency is the most serious form of juvenile delinquency. It is characterized by the fact that it is significantly represented in the criminological milieu, but also by its extensiveness in some of its forms. Juveniles most often commit property crimes, and acts of theft, and the percentage of property crimes in the research in the period from 2017-2019 is about 24.43%. In our country, as well as in other countries, juvenile delinquency is expressed, approximately, i.e. statistically recorded criminal offenses, and it mostly refers to the criminal offenses of theft petty theft, and Aggravated theft.

The second phenomenon in terms of the representation of minors is Criminal offenses against life and body. With a turnout of 23.56%. They are in the third category Weapons offenses, with a share of 5.13%. And the fourth category is the inclusion of juvenile delinquents in narcotics offenses, by 3.14%. Weapons offenses, with a share of 5.13%. And the fourth category is the inclusion of juvenile delinquents in narcotics offenses, by 3.14%.

Regarding the imposition and execution of measures and sentences against juveniles, we see that in the three-year research period Measures of intensive supervision are the measure with the most participation with a percentage of 54.50%. In the second place in terms of educational measures in cases comes the educational measure Judicial admonition with a participation percentage of 20.37%. Institutional educational measures are the most serious type of educational measures. Institutional educational measures given in Kosovo in the research period have a participation of 5.31%. In the research period, it was seen that the judges with the educational disciplinary measure have imposed a total of 63 measures (or with a percentage of 15.50%) against juveniles in Kosovo. As for the sentences that were imposed on juveniles in the research period: they

are fines, sentences with community service orders, prison sentences for juveniles, and supplementary sentences.

Fines are being imposed in large numbers, especially in economically developed countries. Thus, according to statistical data, out of the total number of sentences imposed, the fine in France was imposed in 32% of cases, in Finland 67%, Denmark 75%, Sweden 68%, Austria 70%, Germany more than 80%, etc. (Salihu, Zhitija and Hasani, 2014). Imposing a fine with a fine in the three-year research period in Kosovo was punished with a participation of 0.83%

The order for community service is a subsidiary punishment, it is a substitution of imprisonment. In Kosovo, community service for juvenile offenders began to be applied in 2000. The order for community service is issued by a court with a special decision following Article Paragraph 1 of Article 32. The results of the research during the three years (2017-2019), show that during this period 120 special decisions were issued - orders for community service or 5.54% of the total imposition of measures and sentences on juveniles as perpetrators of criminal offenses. Juvenile detention may be imposed only with exceptions and for the types of very serious criminal offenses and if the conditions which are specifically provided for in the Juvenile Justice Code are met.

### **Conclusion**

The research analyzed the structure and dynamics of juvenile delinquency in Kosovo through seven basic courts. The analysis of the data shows that the participation of juveniles in the commission of criminal offenses at the national level does not show characteristics that would require an urgent response. But, at the regional level, if the participation of juveniles in the commission of criminal offenses is seen, in the Basic Court of Gjilan it is seen that this participation is extremely large (it immediately comes to the capital of Prishtina). Such a large involvement of juveniles in committing criminal offenses in the region of Gjilan (According to the 2011 census, the municipality of Gjilan has a total of 90,178 inhabitants), when it is known that this region in terms of number of inhabitants is in the penultimate place of research regions It is very worrying. Therefore, it is hoped that this research, both at the national and municipal level, will contribute to the policies for the prevention of juvenile delinquency in the future. The research showed that the percentage of involvement of juveniles in committing criminal offenses in recent years at the national level is increasing. (this increase is extremely large compared to the earlier years 2003 - 2005). The analysis of the research data provided, even more reason for concern because the number of juvenile delinquents in committing criminal offenses of weapons and narcotics in recent years is increasing compared to previous years. It is worth noting that criminal offenses against property and criminal offenses against life and body are offenses where the offender is mostly registered as accused and convicted.

The phenomenon of "crime loss" of juvenile delinquents charged and convicted in investigative periods was seen to be extremely discrepant, which is a very disturbing phenomenon. This phenomenon requires a thorough analysis in the future by criminologists and lawyers to help state policy-making bodies to

reduce the phenomenon of "crime loss". The punitive policy of the courts shows that they have imposed more educational measures on juveniles such as judicial reprimands, increased supervision measures, and institutional measures, and much less imprisonment. Finally, it is hoped that the research contributions for the three years (2017-2019) will be an incentive for further research by criminologists, lawyers, sociologists, psychologists, etc., regarding juvenile delinquency.

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