

# **GAP ANALYSIS OF THE PUBLIC PROSECUTION SERVICE IN SERBIA IN HANDLING ENVIRONMENTAL CRIME CASES**



**Greening  
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# 1. INTRODUCTION

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The main objective of this gap analysis is to identify and assess key deficiencies in the Public Prosecution Service's capacity to investigate, prosecute, and adjudicate environmental crime cases. The subject of this analysis were institutional gaps, competence gaps, human resource gaps, financial gaps in the Public Prosecution Service's as well as the coordination gaps with other authorities and institutions which affect the suppression of environmental crime.

The analysis is based on the assessment of the existing legislation, analytic reports, and policy frameworks as well as information obtained from interviews conducted with prosecutors and law enforcement during the April 2025. The interviews provided a more complete insight in practical challenges and best practices.

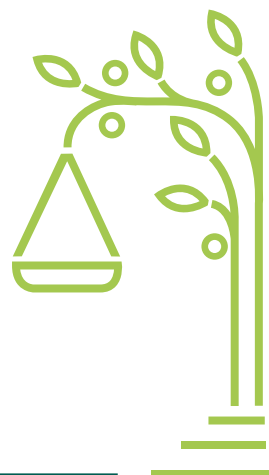
In the first part of this analysis, the provisions of relevant international legal documents in the field of environmental protection were analysed, with special reference to the Directive (EU) 2024/1203 of the European Parliament and of the Council of 11 April 2024 on the protection of the environment through criminal law<sup>1</sup>, then focus is on national criminal legislation in the field of environmental protection. The central part of this document refers to institutional framework, competence, human resource, financial gaps in the Public Prosecution as well as the coordination challenges with other authorities and institutions. Based on such approach recommendations for overcoming the challenges identified both in national legislation and in practice were given in the last part of the analysis.

An integral part of this analysis are Annex 1, Annex 2 and Annex 3. The first one contains a table showing information about filed criminal reports per criminal offense, applicant, number of indictments, type and number of verdicts, as well as the number of pending cases in 2024 and 2023, and the second one contains a table with data on trainings held in the last five years organized by the Judicial Academy of the Republic of Serbia.

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1 Directive (EU) 2024/1203 of the European Parliament and of the Council of 11 April 2024 on the protection of the environment through criminal law and replacing Directives 2008/99/EC and 2009/123/EC. Text of the Directive is available at: <https://eur-lex.europa.eu/eli/dir/2024/1203/oj/eng>

## 2. RIGHT TO HEALTY ENVIRONMENT AND SERBIAN LEGAL FRAMEWORK



**W**ith the adoption of UN Resolution 48/13 in October 2021, the human right to access to a clean, healthy and sustainable environment was recognized for the first time at the international level.<sup>2</sup>

Previously, the right to a healthy environment was guaranteed in an indirect way through Article 24 of the United Nations Convention on the Rights of the Child. According to paragraph 2, point c) of the aforementioned article, member states are obliged to take adequate measures to reduce the mortality of infants and children, provide necessary medical assistance and health care to all children, combat disease and exhaustion, while enabling the application of readily available technology, providing adequate nutritious food and clean drinking water, taking into account the danger and risk of environmental pollution.<sup>3</sup> From the content of the mentioned provision, it can be seen that a healthy environment is a prerequisite for the realization of all other human rights, and above all the right to life.

In the Republic of Serbia, the right to a healthy environment is guaranteed by Article 74 of the Constitution<sup>4</sup>. According to it, everyone has the right to a healthy environment and timely and complete information about its condition. The same article prescribes the responsibility of everyone, especially the Republic of Serbia and the autonomous provinces, for environmental protection, as well as the duty of everyone to improve and preserve the environment.<sup>5</sup>

The Law on Environmental Protection regulates the system and method of environmental protection, which ensures the realization of the human right to life

2 Text of Resolution is available at: <https://undocs.org/A/HRC/RES/48/13>. Resolution has been adopted by the Human Rights Council on October 8, 2021.

3 *Official Gazette of the Socialist Federal Republic of Yugoslavia – International Agreements*, No. 15/90 and *Official Gazette of the Federal Republic of Yugoslavia – International Agreements*, No. 4/96 and 2/97.

4 *Official Gazette of the Republic of Serbia*, No. 98/2006 and 115/2021.

5 *Official Gazette of the Republic of Serbia*, No. 98/2006.

and development in a healthy environment and a balanced relationship between economic development and the environment in the Republic of Serbia.<sup>6</sup> The same Law also prescribes the measures and powers of competent authorities and institutions in the environmental protection system.

In addition to administrative measures, the right to a healthy environment is also protected by criminal law. The Criminal Code of the Republic of Serbia prescribes a special group of crimes against the environment (Articles 260-277 of the Criminal Code).<sup>7</sup>

Merely prescribing criminal offenses does not mean effective criminal protection. It is achieved by applying adequate sanctions against the perpetrators of criminal acts. Although the national criminal legislation prescribes quite a large number of criminal acts against the environment, it seems according to statistical data that there is a very small number of both reported acts and indictments against perpetrators of criminal acts that cause damage to the environment. In addition to criminal offences, different laws protecting the environment prescribe also economic crimes and misdemeanours. Public prosecutors are also responsible for these types of offenses. However, it seems that the suppression of criminal acts is a bigger challenge and that it requires an adequate level of cooperation between the public prosecutor's office and other state bodies, institutions and the non-governmental sector.

## **2.1. RESPONDING TO ENVIRONMENTAL OFFENSES: DETECTION AND DUTY TO INFORM**

Judicial authorities for the execution of environmental crimes can first learn based on reports from inspection bodies and institutes, as well as based on reports from citizens and various associations. In order for the public prosecutor's office to act further on the basis of the submitted reports, it is necessary to submit evidence of a certain quality.

Knowledge about the commission of criminal acts against the environment (e.g. when it comes to the criminal act of endangering the environment) can be acquired during the monitoring process. Under this process, according to Article 69 of the Law on Environmental Protection, is considered constant control and monitoring of the situation in accordance with the monitoring programs adopted at the level of the Republic, autonomous province or local self-government unit. It is carried out by systematic monitoring of indicator values, that is, monitoring of negative impacts on the environment, the state of the environment, measures and activities undertaken to reduce negative impacts and raise the level of environmental quality.<sup>8</sup>

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6 *Official Gazette of the Republic of Serbia*, No. 135/2004...95/2018 – Another Law.

7 *Official Gazette of the Republic of Serbia*, No. 85/2005...35/2019.

8 Article 70.

The question can be raised whether the employees of the competent inspection bodies and institutes are able to recognize the grounds of suspicion that indicate the existence of criminal acts against the environment, as well as the evidence that is important for initiating criminal proceedings and indicting the perpetrators of those acts. The Law on Environmental Protection, as well as other regulations, foresees a large number of economic offenses and misdemeanours, so the competent inspection authorities may consider it sufficient to apply misdemeanour sanctions to perpetrators of offenses in that area, regardless of the fact that they have undertaken an action that constitutes a criminal offense prescribed by law.<sup>9</sup> Filing a report to the competent authorities due to a committed misdemeanour or economic crime may later make it impossible to conduct criminal proceedings due to the application of the *ne bis in idem* principle. It is possible that the inspectors consider that it is sufficient to punish the perpetrators of an environmental crime with a misdemeanour or economic crime sanction, regardless of the social danger of the committed crime and the fact that the undertaken activity fits into the legal description of the criminal offense. In addition, it is also possible that the competent inspectors do not have sufficient knowledge of the criminal legislation, so they do not know what evidence and of what quality it is necessary to submit to the competent authorities in order to initiate criminal proceedings. It is precisely for this reason that it is necessary to conduct training for employees in those institutions and organize round tables with representatives of judicial authorities on the topic of combating environmental crime. In this way, it is possible to exchange knowledge and experience in order to prevent this phenomenon and improve the protection of the right to a healthy environment.

The Law on Environmental Protection does not prescribe the obligation of the inspection authorities to submit a criminal report to the competent prosecutor's office if, during the supervision, they establish that there are basic suspicions that indicate the existence of a criminal offense. However, the inspector has the obligation that if, during the inspection, he assesses that other laws and regulations regulating matters of importance for the protection of the environment or a particular part of it have been violated, in addition to the measures he is authorized to take, he must notify other competent authorities.<sup>10</sup> The aforementioned Law does not explicitly prescribe the obligation to report a criminal offense, so it is possible that inspection bodies do not perceive such action as their obligation, although Article 332 of the Criminal Code prescribes criminal responsibility for an official or responsible person who knowingly fails to report a criminal offense that he learns about in the performance of his duties, and if this can be imposed a prison sentence of five years or a heavier penalty.

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<sup>9</sup> Art. 116-121 of the Law on Environmental protection.

<sup>10</sup> Article 113.



Civil society organizations dealing with the prevention of environmental crime can have a special importance in detecting and reporting criminal acts against the environment, especially considering their technical and professional capacities. Therefore, their role would be important for the timely collection of relevant evidence of importance for establishing the existence of criminal acts against the environment, and therefore the imposition of adequate sanctions against the perpetrators of those criminal acts.

## **2.2. OBLIGATION TO HARMONISE LEGISLATION WITH EU ACQUIS AND ENSURE TRACK RECORD IN IMPLEMENTATION**

Bearing in mind the cross-border nature of criminal acts that endanger the environment and major consequences for the health and life of people at the level of the European Union, Directive 2008/99/EC on the protection of the environment through criminal legislation was adopted. The purpose of its adoption was to standardize the sanctions for perpetrators of crimes against the environment at the level of the European Union. The reason for adoption of the Directive was the fact that the criminal justice mechanisms established at the national level were not adequate in terms of crime prevention, and especially in terms of the availability of effective investigative models and mutual legal assistance among member states. According to the Directive, to enable the environmental protection, it was necessary to prescribe adequate, proportional and dissuasive criminal sanctions for persons who, either in the capacity of a natural person or a responsible person in a legal entity, undertake activities that are harmful to the environment and that cause or are likely to cause significant damage to air, water, animals or plants, including the preservation of species.<sup>11</sup> In order to the provisions of the Directive, the Member States were obliged to prescribe penalties for behaviours against the environment that represent a serious violation of regulations on its protection. However, the provisions of the Directive did not establish any obligation to actually apply those penalties or other criminal legal mechanisms in each individual case at the level of the Member States. It provides only minimum standards at the EU level.<sup>12</sup> In the period 2011-2019, the European Commission evaluated the implementation of the Directive at the level of the EU member states and the United Kingdom. The report on evaluation stated that environmental crime leaves the opportunity for significant profit, that there are difficulties in detecting criminal acts, and that the cross-border character is increasingly present in their execution. It was established that there is a great difference between the member states of the

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11 Articles 5 and 7 of the Directive 2008/99/EC on the protection of the environment through criminal legislation, Official Journal of the European Union, L 328/18, <https://eur-lex.europa.eu/legalcontent/EN/TXT/?uri=CELEX%3A32008L0099>.

12 Items 10 and 12 of the Preamble of the Directive 2008/99/EC. M. Matić Bošković, J. Kostić (2023) „Criminal Law as an effective tool to protect environment“, *Current Challenges of Criminal Law*, Bratislava: Faculty of Law of the Comenius University in Bratislava, 78 and 79.

European Union in terms of the incriminations of violations regulations in the field environmental protection, as well as that legislation prescribed to mild sanctions for such offenses at the national level. According to the opinion of the Commission, this could act as an incentive for perpetrators of crimes that can be classified as environmental crime to transfer their activities to member states with the least efficient law enforcement systems and prevent judicial cooperation between member states.<sup>13</sup> In the evaluation report is stated that a special problem exist in the regulations of the member states that prevents the detection of environmental crime, and the sanctioning of perpetrators is the use of imprecise legal terminology, such as e.g. „substantial damage“, „irreparable amount“, „dangerous activity“ or „significant deterioration“. Mentioned terminology should be defined as such as possible at the level of the EU, because the impreciseness of the terms could have a negative impact on the cooperation of the member states in their suppression. In addition, the interpretation disputed terms is generally carried out by competent courts of the member states, which could lead to different approaches and understanding of terms.<sup>14</sup> According to the opinion of the European Commission expressed in the evaluation report, it was necessary to prescribe additional sanctions at the national level in order to improve the prevention of crimes against environment. In addition, the sanctions should apply to legal entities responsible for such acts, e-g. to parent companies that use the offending company as a shield or to mother, daughter or system companies that indirectly profit from environmental violations. According to the opinion of the Commission it was necessary to introduce the following sanctions: mandatory compensation for damage, cancellation or suspension of the license, exclusion from participation in public tenders or grant awarding procedures, banning the use of certain internet platforms for trading (e.g. with authorization to require trading platforms to eliminate perpetrator of a criminal offense against the environment), confiscation of profits, rights and things acquired directly or indirectly based on the violation, temporary or permanent closure of a certain facility or activity as a whole, publication of court judgements or summaries of the same or administrative decisions related to violations, publication of names and public condemnation of natural or legal persons who where in conscious cooperation with a natural or legal person who violated the regulations (e.g. a person who distributed the profit obtained by committing a criminal act). The Report on the Evaluation of the Implementation of the Directive highlights the importance of the specialization of competent institutions and bodies at the national level, bearing in mind the need for continuous cross-border cooperation in combating environmental crime.<sup>15</sup>

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13 Commission Staff Working Document Evaluation of the Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law (Environmental Crime Directive), 6. [https://commission.europa.eu/system/files/2021-12/environmental\\_crime\\_evaluation\\_report.pdf](https://commission.europa.eu/system/files/2021-12/environmental_crime_evaluation_report.pdf), M. Matić Bošković, J. Kostić (2023) „Criminal Law as an effective tool to protect environment“, Op. cit. 79.

14 *Ibid.* 80.

15 Commission Staff Working Document Evaluation of the Directive 2008/99/EC, 81. M. Matić Bošković, J. Kostić (2023) „Criminal Law as an effective tool to protect environment“, Op. cit 80

Over time, the need to improve the criminal law response to environmental pollution has become apparent, so a new Directive on the protection of the environment through criminal law was adopted in 2024.<sup>16</sup> One of the goals of the adoption of the new Directive was to standardize sanctions for perpetrators of criminal acts against the environment at the level of the entire European Union, but also to prescribe effective models of investigation and joint legal assistance between member states. In order to enable environmental protection, it was necessary to prescribe at the national level adequate, proportionate and dissuasive criminal sanctions for persons who cause damage to the environment, as well as special measures that prevent further endangerment of air, water, animals and plants, including species protection measures.

According to the new Directive, the member states are obliged to prescribe as qualified offences cases where particularly serious damage to and destruction of the environment is caused by committing one of the offences provided by the Directive.<sup>17</sup> In addition, its provisions provide a graduated system of minimum-maximum imprisonment penalties and, for legal persons, introduces two alternative fining methods based on fixed amounts between 24 and 40 million euros and the total annual worldwide turnover of the legal persons concerned.<sup>18</sup> The new Directive also provides a provision which purpose is to help to improve the effectiveness of investigators and police officers, along the enforcement chain to combat environmental crime. These provisions concern the organization of specialised trainings, providing of sufficient resources, development and establishment of cooperation mechanisms within and between Member States and development of national strategies.<sup>19</sup> In addition, it provides the support to any persons reporting criminal offences, sanctioning for an attempt, inciting, aiding and abetting, aggravating and mitigating circumstances, prevention, freezing and confiscation, limitation periods and jurisdictions.<sup>20</sup>

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*According the Directive, Member States shall ensure that national authorities which detect, investigate, prosecute or adjudicate environmental criminal offences have a sufficient number or qualified staff and sufficient financial, technical and technological resources for the effective performance of their functions related to the implementation the provision regarding the suppression of environmental crime. In addition, the Member States shall take necessary measures to ensure that specialised regular training is provided to judges, prosecutors, police and judicial staff and to competent authorities' staff involved in criminal proceedings and investigations with regard to the objectives of the Directive and appropriate to the functions of such judges, prosecutors, police and judicial staff and competent authorities' staff.*

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16 Directive (EU) 2024/1203 of the European Parliament and of the Council of 11 April 2024 on the protection of the environment through criminal law and replacing Directives 2008/99/EC and 2009/123/EC. Mentioned Directive was adopted on 11 April 2024 and entered into force on 20 May 2024. Its text is available at: <https://eur-lex.europa.eu/eli/dir/2024/1203/oj/eng>

17 Article 3.

18 Articles 5 and 7.

19 Articles 13, 17, 18, 19, 20 and 21.

20 Articles 4, 8, 9, 10, 11, 12 and 14.

The Directive provides an obligation to Member States to establish appropriate mechanisms for coordination and cooperation at strategic and operational levels among all their competent authorities involved in the prevention of and the fight against environmental criminal offences. Such mechanisms shall be aimed at least at: ensuring common priorities and understanding of the relationship between criminal and administrative enforcement, exchange of information for strategic and operational purposes, within the limits set out in applicable Union and national law, consultation in individual investigations, within the limits set out in applicable Union and national law, the exchange of best practices, providing assistance to EU networks of practitioners working on matters relevant to combating environmental criminal offences and related infringements.<sup>21</sup>

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*The mechanisms of coordination and cooperation within a Member States may take the form of specialised coordination bodies, memoranda of understanding between competent authorities, national enforcement networks and joint training activities.*

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When it comes to environmental protection through criminal law at the level of the Republic of Serbia, according to the opinion of the European Commission, it is necessary to improve the institutional structure and ensure the coordination of various bodies and institutions. In addition, it is necessary to align national criminal legislation with the 2024 Environmental Crimes Directive, as well as to enable infrastructure investments to comply with the EU environmental and climate acquis.<sup>22</sup>

According to the European Commission's latest report on Serbia's progress in the process of EU accession, cross-border cooperation did not improve during the reporting period, so the Republic of Serbia should continue efforts in cooperation with neighbouring countries and start implementing activities from the memorandum of understanding regarding cooperation in the field of environmental protection with Bulgaria. Although the number of inspection cases and cases of fines due to violations has increased, it is necessary to further align national regulations with the Environmental Liability Directive, as alignment with it is still at an early stage.<sup>23</sup>

The Criminal Code does not define certain concepts precisely enough. That is for example a criminal offense prescribed by Article 260 of the Criminal Code. Mentioned criminal offense will exist if the air, water, or soil is polluted to a „greater extent“ or in a „wider area“ by violating of regulations. The mentioned terms are not precise enough and their interpretation depends on the position of jurisprudence.

Prescribing criminal offenses *per se* is not enough to combat environmental crime. In order to carry out an effective investigation and to prosecute perpetrators of crimes against the environment, public prosecutors need special knowledge, technical support, and conditions for obtaining the preserving evidence of a certain quality.

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21 Article 19.

22 The report of the European Commission on the progress of Serbia in the process of accession to the European Union is available on the website: [https://www.mei.gov.rs/upload/documents/eu\\_dokumenta/2024/izvestaj\\_24.pdf](https://www.mei.gov.rs/upload/documents/eu_dokumenta/2024/izvestaj_24.pdf), pp. 18 and 19.

23 *Ibid.* p. 98.



## 3. INSTITUTIONAL GAPS

### 3.1. ASSESSMENT OF THE ORGANIZATIONAL STRUCTURE OF PUBLIC PROSECUTION SERVICE IN SERBIA IN HANDLING ENVIRONMENTAL CRIME CASES

**A**rticle 45 of the Code of Criminal Procedure of the Republic of Serbia<sup>24</sup> prescribes that the actual competence of the public prosecutor is determined in accordance with the provisions of the law that are valid for determining the actual competence of the court, except when otherwise determined by law. According to the article 24, paragraph 1 of the Law on the Organization of courts<sup>25</sup>, the basic courts in the Republic of Serbia, and therefore the basic prosecutor's offices, are responsible for dealing with cases in which the main penalty is a fine or a prison sentence of up to ten years, and if another public prosecutor's office is not competent for some of them. The higher courts, and therefore the higher public prosecutor's offices in the first instance, act in cases for criminal offenses for which the main penalty is imprisonment for more than ten years, as well as for enumerated criminal offenses.<sup>26</sup> In the Republic of Serbia the basic prosecutor's offices are competent for dealing with cases concerning criminal acts against the environment.

In the Republic of Serbia, special public prosecutor's offices have been established to combat specific crimes, such as crimes that can be considered war crimes, crimes from the field of high-tech crime, crimes that can be considered organized crime and corruption. Thus, Article 4 of the Law on the Organization and Competence of State Bodies for Combating High-Tech Crime<sup>27</sup> established a special department of the Higher Public Prosecutor's Office in Belgrade to combat the aforementioned type of crime for the territory of the Republic of Serbia. Likewise, Article 4 of the Law on the Organization and Jurisdiction of State Authorities in War Crimes Procedures<sup>28</sup> stipulates that the Public Prosecutor's

24 *Official Gazette of the Republic of Serbia*, No. 72/2011, 101/2011, 121/2012, 32/2013, 45/2013, 55/2014, 35/2019, 27/2021 – Decision of the Constitutional Court and 62/2021 – Decision of the Constitutional Court.

25 *Official Gazette of the Republic of Serbia*, No. 10/2023.

26 Article 25 of the Law on the Organization of courts.

27 *Official Gazette of the Republic of Serbia*, No. 61/2005, 104/2009, 10/2023 and 10/2023 – Another Law.

28 *Official Gazette of the Republic of Serbia*, No. 67/2003, 135/2004, 61/2005, 101/2007, 104/2009, 101/2011 – Another Law, 6/2015 and 10/2023.

Office for War Crimes is responsible for dealing with cases of criminal acts that can be considered war crimes.

The specialization of public prosecutor's offices is also prescribed by the Law on the Organization and Competence of State Authorities in Suppression of Organized Crime, Terrorism, and Corruption. Article 5 prescribes the jurisdiction of the Public Prosecutor's Office for Organized Crime to handle cases concerning criminal acts that can be considered organized crime in the sense of the provisions of the aforementioned law for the territory of the Republic of Serbia. The competence of the special departments of the Higher Public Prosecutor's Offices in Belgrade, Kraljevo, Niš and Novi Sad for the areas of the Courts of Appeal in Belgrade, Kragujevac, Niš and Novi Sad is prescribed for dealing with cases that can be considered corruption.<sup>29</sup>

Although the detection, investigation and prosecution of perpetrators of crimes against the environment requires special knowledge and experience, constant and adequate cooperation with other state bodies and institutions, as well as with legal entities from the business sector and organizations of the civil sector, the legislation of the Republic of Serbia does not prescribe the specialization of public prosecutors' offices and courts in the suppression of crimes against the environment. Basic public prosecutor's offices are responsible for investigation and prosecution of the perpetrators of those crimes.

Criminal offenses against the environment are not only prescribed by the Criminal Code of the Republic of Serbia, but also by secondary criminal legislation. The Law on Water prescribes the criminal acts of unauthorized filling and use of reservoirs (Article 209) and damages during the exploitation of river sediments (Article 210).<sup>30</sup> Articles 177, 178 and 179 of the Law on Mining and Geological Surveys<sup>31</sup> also prescribe criminal acts. Article 95 of the Law on Plant Health<sup>32</sup>, Article 78 of the Law on Plant Protection Products<sup>33</sup> and Article 45 of the Law on Genetically Modified Organisms<sup>34</sup> prescribe one criminal offense each.

Although it is not prescribed in the group of criminal offenses against the environment, the Criminal Code of the Republic of Serbia in the group of criminal offenses against human health prescribes the criminal offense of polluting drinking water and foodstuffs (Article 258), which can also be linked with a offense against the environment. Conducting the investigation and prosecuting the perpetrators of the aforementioned crime is also the responsibility of the basic public prosecutor's office.

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<sup>29</sup> Article 14.

<sup>30</sup> *Official Gazette of the Republic of Serbia*, No. 30/2010, 93/20122, 101/2016, 95/2018 and 95/2018 – Another Law.

<sup>31</sup> *Official Gazette of the Republic of Serbia*, No. 101/2015, 95/2018 – Another Law and 40/2021.

<sup>32</sup> *Official Gazette of the Republic of Serbia*, No. 41/2009 and 17/2019.

<sup>33</sup> *Official Gazette of the Republic of Serbia*, No. 41/2009 and 17/2019.

<sup>34</sup> *Official Gazette of the Republic of Serbia*, No. 41/2009.

The following table provides an overview of criminal offenses against the environment, the competent public prosecutor's offices and the statute of limitations for criminal prosecution.

Criminal offense	Prescribed sanction	Competent Public Prosecutor's Office	Statute of limitations
Environmental pollution (Article 260 of the Criminal Code)	A prison sentence of up to eight years is prescribed for the perpetrator of the most serious form of the crime	Basic Public Prosecutor's Office	10 years from the commission of the most serious form of the crime
Failure to take environmental protection measures (Article 261 of the Criminal Code)	A prison sentence of up to three years is prescribed for the perpetrator of the crime	Basic Public Prosecutor's Office	3 years from the commission of the crime
Illegal construction and putting into operation of buildings and plants that pollute the environment (Article 262 of the Criminal Code)	A prison sentence of up to eight years is prescribed for the perpetrator of the most serious form of the crime	Basic Public Prosecutor's Office	10 years from the commission of the most serious form of the crime
Damage to facilities and devices for environmental protection (Article 263 of the Criminal Code)	For the perpetrator of the most serious form of the crime, a prison sentence of up to eight years is prescribed	Basic Public Prosecutor's Office	10 years from the commission of the most serious form of the crime
Damage to the environment (Article 264 of the Criminal Code)	A prison sentence of up to three years is prescribed for the perpetrator	Basic Public Prosecutor's Office	3 years from the commission of the crime
Destruction, damage, export abroad and import into Serbia of protected natural property (Article 265 of the Criminal Code)	The perpetrator of the crime is sentenced to imprisonment for up to five years	Basic Public Prosecutor's Office	5 years from the commission of the crime

Bringing dangerous substances into Serbia and illegal processing, disposal and storage of dangerous substances (Article 266 of the Criminal Code)	For the perpetrator of the most serious form of the crime, a prison sentence of two to ten years and a fine is prescribed	Basic Public Prosecutor's Office	10 years from the commission of the most serious form of the crime
Unauthorized construction of nuclear facilities (Article 267 of the Criminal Code)	A prison sentence of six months to five years is prescribed for the perpetrator of the crime	Basic Public Prosecutor's Office	5 years from the commission of the crime
Violation of the right to information about the state of the environment (Article 268 of the Criminal Code)	A fine or a prison sentence of up to one year is prescribed for the perpetrator of the crime	Basic Public Prosecutor's Office	2 years from the commission of the crime
Killing and abuse of animals (Article 269 of the Criminal Code)	A fine or a prison sentence of up to three years is prescribed for the perpetrator	Basic Public Prosecutor's Office	3 years from the commission of the crime
Transmission of infectious diseases in animals and plants (Article 270 of the Criminal Code)	A prison sentence of up to three years is prescribed	Basic Public Prosecutor's Office	3 years from the commission of the crime
Negligent provision of veterinary assistance (Article 271 of the Criminal Code)	A fine or a prison sentence of up to two years is prescribed	Basic Public Prosecutor's Office	3 years from the commission of the crime
Production of harmful means for the treatment of animals (Article 272 of the Criminal Code)	A fine or a prison sentence of up to two years is prescribed for the perpetrator	Basic Public Prosecutor's Office	3 years from the commission of the crime



Contamination of food and water for consumption, i.e. feeding animals (Article 273 of the Criminal Code)	A fine or a prison sentence of up to three years is prescribed for the perpetrator	Basic Public Prosecutor's Office	3 years from the commission of the crime
Devastation of forests (Article 274 of the Criminal Code)	A prison sentence of three months to three years is prescribed for the perpetrator	Basic Public Prosecutor's Office	3 years from the commission of the crime
Forest theft (Article 275 of the Criminal Code)	A prison sentence of up to three years is prescribed for the perpetrator	Basic Public Prosecutor's Office	3 years from the commission of the crime
Illegal hunting (Article 276 of the Criminal Code)	A prison sentence of up to three years is prescribed for the perpetrator	Basic Public Prosecutor's Office	3 years from the commission of the crime
Illegal fishing (Article 277 of the Criminal Code)	A prison sentence of up to three years is prescribed for the perpetrator	Basic Public Prosecutor's Office	3 years from the commission of the crime
Contamination of drinking water and foodstuffs (Article 258 CC)	A prison sentence of six months to five years is prescribed for the perpetrator of the crime.	Basic Public Prosecutor's Office	5 years from the commission of the crime.
Unauthorized filling and use of the reservoir (Article 209 of the Law on Water)	A prison sentence of six months to five years is prescribed for the perpetrator of the crime	Basic Public Prosecutor's Office	5 years of the commission of the crime
Damage during the exploitation of river sediments (Article 210 of the Water Act)	For the perpetrator of the crime, a prison sentence of six months to five years or a fine is prescribed.	Basic Public Prosecutor's Office	5 years of the commission of the crime
Criminal offense prescribed by Article 177 of the Law on Mining and Geological Surveys	A prison sentence of one to five years is prescribed for the perpetrator of the crime	Basic Public Prosecutor's Office	5 years of the commission of the crime

Criminal offense prescribed by Article 178 of the Law on Mining and Geological Surveys	A prison sentence of one to five years is prescribed for the perpetrator of the crime	Basic Public Prosecutor's Office	5 years of the commission of the crime
Criminal offense prescribed by Article 179 of the Law on Mining and Geological Surveys	A prison sentence of one to five years is prescribed for the perpetrator of the crime	Basic Public Prosecutor's Office	5 years of the commission of the crime
Criminal offense prescribed by Article 95 of the Law on Plant Health	A prison sentence of up to one year is prescribed for the perpetrator of the crime	Basic Public Prosecutor's Office	2 years of the commission of the crime
Criminal offense prescribed by Article 78 of the Law on Plant Protection Products	A prison sentence of up to one year is prescribed for the perpetrator of the crime	Basic Public Prosecutor's Office	2 years of the commission of the crime
Criminal offense prescribed by Article 45 of the Law on Genetically Modified Organs	A prison sentence of up to three years is prescribed for the perpetrator of the crime	Basic Public Prosecutor's Office	3 years of the commission of the crime

**Note:** The table shows the relative statutes of limitation for criminal prosecution. However, it certainly occurs when twice the time that is required by law for the statute of limitations for criminal prosecution (Article 104, point 6), which is specified for each criminal offense in the fourth column, has passed.

### 3.2. DESIGNATED PROSECUTORS AND UNITS HANDLING ENVIRONMENTAL CRIME

In the Republic of Serbia, there are no specialized departments of public prosecutions for dealing with criminal acts against the environment. In Belgrade, for a short period from July 2022 to 2023, at the First Basic Public Prosecutor's Office, there was a department for handling cases of construction without a building permit and environmental protection. That department was abolished after a year and a half of its existence. The goal of its establishment was to handle cases related to environmental crime together with a special department within the Ministry of Internal Affairs, which was established in 2022. At the moment, there is no specialization or specialized department in public prosecutor's offices for handling cases related to environmental crime. Cases are assigned on a "random prosecutor" basis. However, some prosecutors seek help from colleagues who have

had more experience in handling cases involving crimes against the environment. A key issue is lack of awareness of the relevant regulations, especially considering that environmental protection is governed by a complex and extensive legal framework, such as: the Environmental Protection Act,<sup>35</sup> the Nature Protection Act,<sup>36</sup> regulations concerning the protection of water, air, and soil. In addition, the area of environmental protection is regulated by a large number of by-laws: regulations, decrees, orders prohibiting hunting, that is, fishing, and the like.<sup>37</sup>

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*When it comes to handling environmental crime cases, prosecutors typically engage on voluntary basis, driven by personal interest. Most of them work on a wide range of cases, and environmental offenses are often viewed as minor compared to more serious crimes such as bodily injury or traffic-related offenses.*

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The example of Spain can be cited as an example of good practice in combating environmental crime. Experiences from Spain are particularly significant considering that cases involving criminal acts against the environment are handled by a special public prosecution - the Unit for the Environmental Urban Planning at the level of the State Public Prosecutor's Office,<sup>38</sup> while such cases are handled by about 800 prosecutors who deal exclusively with the suppression of environmental crime. The Civil Guard is also specially trained to combat such crimes, and there are a large number of indictments and resolved cases. There are also cases where a chain of corruption has been uncovered thanks to the specialization of the public prosecution in Spain. Apart from the Spanish, Italy also stands out as an example of good practice, which has a very good system for the protection of rare animal species and birds. There are also special public prosecutions for that. It would be very useful for the Republic of Serbia if not in the form of the establishment of a special public prosecutor's office and the specialization that would be established at the level of appeals as a special department for environmental crime and exclusively for public prosecutors who would be interested.<sup>39</sup>

### **3.3. GAPS IN CASE MANAGEMENT, DATA COLLECTION, AND REPORTING MECHANISMS**

When an environmental incident occurs, there is often confusion about which authority is responsible for which actions. It is necessary to establish a special protocol on the actions of the inspection, the police and the public prosecution in order to know when, how and who undertakes the necessary activities. Although expert opinions are conducted in cases related to environmental crime, there is no reference lists of experts (expert witness), nor available zoos (animal shelters)

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35 Official Gazette of the Republic of Serbia, No. 35/2004, 36/2009, 36/2009 – Another Law, 72/2009 – Another Law, 43/2011 – Decision of the Constitutional Court, 14/2016, 76/2018, 95/2018 – Another Law, 95/2018 – Another Law and 94/2024 – Another Law).

36 Official Gazette of the Republic of Serbia, No. 36/2009, 88/2010, 91/2010 - Corrigendum 14/2016, 95/2018 – Another Law and 71/2021).

37 Information was obtained based on interviews with public prosecutors during April 2025.

38 See: <https://www.fiscal.es/-/medio-ambiente>

39 Ibidem.

according to geographical areas to know where an animal can be placed if it is a trade in animal species. The Ministry of Environmental Protection should publish the list i.e. unified databases or such information could be available on the websites of relevant ministries. For example, there is a lack of relevant data on the website of the Ministry of Agriculture (in relation to reference laboratories that can conduct relevant analyses). It would be significant if the list of inspectors that the competent prosecutors could contact depending on the nature of the case in which they are acting were also made available.<sup>40</sup>

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*One of the greatest practical challenges is the lack of cooperation between competent inspections and the police. Inspections often fail to recognise criminal offenses, which is why the majority of their reports pertain to misdemeanours rather than criminal acts.*

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The biggest polluters in the Republic of Serbia, such as “Kolubara”, “Tent”, “Veliki Crljeni” remain criminally unaccountable. For environmental pollution, mostly misdemeanour charges are filed and reprimands are issued by the inspection. That is why it can be said that there is a dark crime rate when it comes to the biggest polluters of the environment. One can even suspect that there are elements of corruption in connection with the failure to file criminal charges against the biggest polluters.<sup>41</sup>

If the police do not go to the field, the evidence of the ecological inspection cannot be used in the proceedings, because the items of the criminal offense are not temporarily confiscated. The inspection usually orders the polluter to analyse the sample and call the competent operator to dispose of the sample and generally issues orders and imposes measures of an administrative nature.<sup>42</sup>

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*Inspectors often lack clear guidance on where hazardous waste should be transported, so resulting in delays and inefficiencies in response. This, in turn, negatively evidence preservation and the prevention of further environmental harm. Introducing on-call inspection teams and establishing regional facilities for the disposal of hazardous waste and other dangerous materials will significantly improve response capacity.*

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In the north of Serbia, cooperation between the prosecution and the environmental police is functioning well, serving as a positive example of inter-institutional cooperation. There was previously an initiative, led by the Supreme Public Prosecutor's Office, to establish a liaison officer, dedicated to environmental crime; however, this idea was not implemented. In addition, it is necessary to strengthen the capacities of the police that deal with environmental crime. When it comes to international cooperation, there are not process problems, but human problems. Criminal reports in the north of Serbia are mainly submitted by the police, followed by citizens independently, and only in third place in terms of frequency of inspection reports. Criminal offenses are rarely reclassified when the existence of a criminal offense cannot be proven, but this rarely happens in practice.<sup>43</sup>

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40 *Ibidem.*

41 *Ibidem.*

42 *Ibidem.*

43 *Ibidem.*



## 4. COMPETENCE GAPS

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**T**he effectiveness of environmental crime prosecution is hindered by institutional competence gaps, particularly within public prosecution service. To gain a clearer understanding of these gaps, this section will examine both the performance of public prosecutors' offices and the level of prosecutorial expertise. Special attention will be given to prosecutors' access to training opportunities, their familiarity with international and EU legal standards, and the practical challenges they face in applying those standards in domestic proceedings.

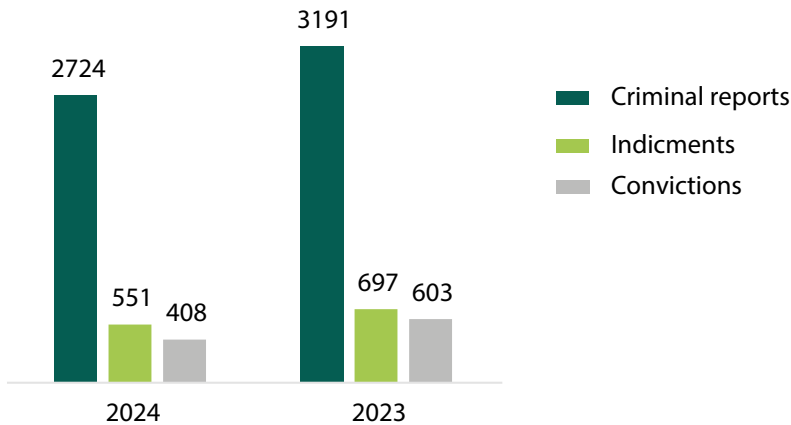
### 4.1. RESULTS OF PROSECUTORS' WORK

Data from the Report of the Supreme Public Prosecutor's Office on the work of public prosecutor's offices in combating crime and protecting constitutionality and legality in 2024<sup>44</sup> can be an indicator of both the success in the work of public prosecutors' offices and their cooperation with the police and other competent authorities in the suppression of criminal offenses against the environment. Certainly, this requires a more detailed analysis, so in this part we do not limit ourselves exclusively to the data obtained from the reports on the work of public prosecution offices for a specific year, but significant data were also obtained based on interviews with public prosecutors of basic public prosecution offices.

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44 The Report of the Supreme Public Prosecutor's Office on the work of public prosecutor's offices in combating crime and protecting constitutionality and legality in 2024 Belgrade, April 2025, pp. 59-64. Available at: <http://www.vrhovnojt.gov.rs/docs/Izvestaj-VrhJT-za-2024-godinu.pdf>. Data regarding the total number of criminal reports, rejected reports, criminal complainants, number of accused persons, type of verdict and number of pending cases are contained in the Table1 in the Annex 1 of this Analysis.

## CRIMINAL REPORTS, INDICTMENTS AND CONVICTIONS IN 2024 AND 2023



**Graph 1** – Total number of Criminal reports, Indictments and Convictions in 2024 and 2023

During 2024 and 2023, in the work of public prosecutors, there was a significantly higher number of criminal reports compared to the number of acquittals and convictions that were passed in cases related to criminal offenses against the environment. A slightly higher number of criminal reports, indictments and convictions were rendered in 2023. This may indicate difficulties in proving, the cause of which may be various circumstances, such as: insufficient number of public prosecutors dealing with environmental crime, i.e. lack of specialization of public prosecutors in that area, inadequate provisions of national criminal legislation and regulations in the field of environmental protection, which prevent both proof and adequate cooperation of the inspection, police and public prosecution, lack of technical means and equipment necessary for conducting investigations and proving the existence of criminal acts against the environment, lack of space and procedures for disposal of dangerous substances that can serve as evidence in criminal proceedings, lack of international cooperation in connection with criminal offenses against the environment, etc.

During 2024, the largest number of reports to the public prosecutor's office, which concern criminal offenses against the environment, related to the criminal offense of forest theft (a total of 1,610 including both cases from the above and cases from previous years), followed by the criminal offense of bringing dangerous substances into Serbia and illegal processing, disposal and storage of dangerous substances (a total of 303 reports including reports from the previous period), then the criminal offense of killing and abusing of animals (a total of 302 applications) and Illegal hunting (115 applications).<sup>45</sup>

When it comes to the relation between the number of reports, the number of accused persons and the convictions, the largest number of filed indictments in relation to the number of reported criminal offenses refers to the criminal offense of illegal processing, disposal and storage of dangerous substances, for which 131

<sup>45</sup> *Ibidem*.

persons were acquitted in 2024. In relation to the number of accused persons, during the same year, 110 verdicts were handed down, which is significantly more compared to other criminal acts. So, for example, for the criminal offense of forest theft, in relation to the number of reports that were in the public prosecutor's office (total of 1890), only 297 persons were accused, of which a total of 229 convictions were made.<sup>46</sup> This certainly indicates that the further course of the procedure and success in prevention depends on the quality of the evidence submitted to the public prosecutor, which has an impact on the indictment and, as can be seen, on the conviction. The majority of these criminal offenses were found out on the basis of a police report, which indicates the need to improve cooperation with other authorities and institutions, which can also be of importance for the detection, and therefore the reporting of criminal acts against the environment, such as e.g. competent inspections.<sup>47</sup>

The lowest number of reports that were processed by public prosecutors during the reporting period related to the following criminal offenses: illegal construction of nuclear facilities (1 criminal report, no person accused and no judgement was made in 2024), illegal construction and commissioning of facilities and plants that pollute the environment (3 criminal reports, no person accused and no judgements was made in the reporting year), transmission of infectious diseases in animals and plants (4 criminal reports, no accused person and no judgement was made), unscrupulous provisions of veterinary assistance (3 criminal reports, no accused person and no judgement was made), contamination of food and water for feeding, basic animal watering (6 criminal reports, 3 accused persons and no judgements was made) and environmental damage (20 criminal reports, but no accused person and no judgment was made).<sup>48</sup> Considering the environmental consequences of mentioned crimes, these data are worrisome. Considering that the filing of an indictment depends on the quality of the submitted evidence, it can be assumed that one of the possible problems is either the failure to submit adequate evidence or the untimely submission and provision of evidence. The largest number of reports for the above-mentioned crimes was filed by the police, so the question can be raised whether improving cooperation with other state bodies and institutions (e.g. competent inspections), as well as the civil sector, would increase the number of reported reports, indictments and convictions?

A similar conclusion can be drawn based on the analysis of data contained in the Report of the Supreme Public Prosecutor's Office on the work of public prosecutor's offices in combating crime and protection constitutionality and legality in 2023.<sup>49</sup> The largest number of criminal reports in that period was for the following criminal offenses: forest theft (1849 criminal reports, 319 accused

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46 *Ibidem*.

47 *Ibidem*.

48 *Ibidem*.

49 Report of the Supreme Public Prosecutor's Office on the work of public prosecutor's offices in combating crime and protecting constitutionality and legality in 2023, Belgrade, March 2024, pp. 50-55. Available at: [http://www.vrhovnojt.gov.rs/docs/SKM\\_95824041013280.pdf](http://www.vrhovnojt.gov.rs/docs/SKM_95824041013280.pdf) Data regarding the total number of criminal reports, rejected reports, criminal complainants, number of accused persons, type of verdict and number of pending cases are contained in the Table2 in Annex 1 of this Analysis.

persons and 287 convictions), followed by the criminal offense of environmental pollution with 302 criminal reports in the work of public prosecutors' offices (in total 131 accused persons and 137 convictions), the criminal offense of killing and abusing animals (278 criminal reports, 34 accused persons and 34 convictions) and the criminal offense of bringing dangerous substances into Serbia and illegal processing, disposal and storage of dangerous substances (231 criminal reports, 87 accused persons and 54 convictions).<sup>50</sup>

The largest number of reports in the reporting period was submitted by the police. For the aforementioned criminal act, 168 criminal reports were filed by the police, while only 10 reports were filed by other state authorities. This can speak in favour of the previous claim about the lack of adequate cooperation with the competent inspection bodies. It is interesting that in 2023, the number of criminal charges filed for the crime of environmental pollution (302) was more than double the number of criminal reports filed in 2024 for the same offense (64 in total).<sup>51</sup>

The lowest number of criminal reports in the reporting period was filed for the following crimes: illegal construction of nuclear facilities (1 criminal report, no accused persons and no judgment was made in 2023), unscrupulous provisions of veterinary assistance (2 criminal reports, no person accused and no judgment in 2023), damage to buildings and devices for the protection of the environment (5 criminal reports, no person accused and no judgment was made) and contamination of food and water (10 criminal reports, 2 accused persons and 1 conviction was made in 2023).<sup>52</sup>

Bearing in mind above mentioned, it can be concluded that the largest number of criminal acts are reported by the police, while other state authorities in a very small number of cases report the commission of criminal acts to the detriment of the environment. The reason for this may be that special regulations do not stipulate the obligation of the inspection bodies to submit criminal charges to the competent state bodies, but also insufficient knowledge of criminal law regulations on the part of the said bodies.

#### **4.2. ASSESSMENT OF PROSECUTORS' KNOWLEDGE RELATED TO ENVIRONMENTAL LAW AND TRAINING OPPORTUNITIES**

According to some prosecutors a lot was learned at the trainings that were conducted with the participants of the Ministry of Internal Affairs and non-governmental organizations from abroad, e.g. Spain (Madrid) and the like. In addition, trainings were conducted by the Ministry of Environmental Protection, were very useful. However, they are mostly found out personally by their

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<sup>50</sup> *Ibidem.*

<sup>51</sup> *Ibidem.*

<sup>52</sup> *Ibidem.*



colleagues. For example, professors from the faculty who participate in the implementation of trainings invite colleagues employed in the judiciary, etc.<sup>53</sup>

The Judicial Academy organizes training for public prosecutors and prosecutor's assistants in the field of criminal law and environmental protection. However, regarding the content of those trainings, there are different impressions. Some public prosecutors believe that the training organized by the Judicial Academy is extremely high quality and useful. However, there are also those who believe that it is necessary for them to be more innovative, because so far it has happened that some prosecutors attend trainings with the same content and with the same lecturers more than once. In addition, knowledge related to environmental protection in general is also useful.<sup>54</sup> At the Judicial Academy, trainings in the field of combating corruption are mostly in the forefront, while only 2% of the total number of trainings conducted annually are trainings related to environmental protection. A certain number of trainings in the mentioned field were conducted through a distance learning platform, but the number of people who attend trainings is certainly greater when they are conducted live.<sup>55</sup>

The goal of the trainings was to enable the participants to understand the process of waste management, to present all the actions necessary for investigation and to provide professional information to the media regarding cases in environmental matters, to apply the acquired knowledge in order to increase the quality of efficiency of trials, as well as coordination with all actions required for investigation. In addition, the purpose of trainings was to improve efficiency in combating environmental crime, as well as to acquaint the participants with the competences of the member states and the instruments related to the requirements arising from EU law (the EU principle that the polluter pays, the Framework Directive on waste, the Directive on liability for environmental damage and the Directive on environmental protection through criminal law). The participants of trainings also had the opportunity to be familiar with examples of large-scale hazardous waste pollution, which was processed in the Republic of Serbia, as well as to exchange their experiences in this matter.

The interest of prosecutors, and especially judges, in dealing with environmental crime cases and the attitude towards those cases as well as towards others should be increased. It seems that it would be effective to specialize prosecutors and judges in handling criminal economic-penal and misdemeanour procedures in the field of environmental protection, which implies that a greater number of judges

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53 Information was obtained based on interviews with public prosecutors during April 2025.

54 *Ibidem*.

55 The data in the tables are taken from the annual reports on the work of the Judicial academy for 2020, 2021, 2022 and 2023 which are available on the websites: <https://www.pars.rs/public/NormativniOkvir/Izve%C5%A1tajiORadu/GODISNJI-IZVESTAJ-PRAVOSUDNE-AKADEMIJE-2020.pdf>; <https://www.pars.rs/public/inline-files/Godisnji-izvetaj-o-radu-Pravosudne-akademije-2021-compressed.pdf>; <https://www.pars.rs/public/inline-files/Godisnji-izvetaj-o-radu-Pravosudne-akademije-2022.pdf>; <https://www.pars.rs/public/inline-files/Izvestaj-o-radu-Pravosudne-akademije-za-2023-godinu.pdf> and Working version of the annual report on the work of the Judicial academy for 2024, pp. 36, 46, 48, 51, 52 and 53. More detailed information about trainings are contained in Table number 3, which can be found in Annex 3 of this Analysis

and prosecutors act in those cases, bearing in mind the social danger of that type of crime. So far, decisions have been implemented by domestic experts in the organization of various non-governmental organizations or state institutions, but also with the presence of foreign experts who transfer their knowledge and experience in that area. Although the number of prosecutors and judges who have undergone training is not negligible, the knowledge and experience they have acquired during training are not sufficiently applied in practice. It is necessary to improve knowledge that comes out of the legal framework, but it is also necessary to know a lot of sectoral regulations from certain areas (e.g. protection of water, forests, air, etc.).<sup>56</sup>

Working on some cases related to environmental crime sometimes requires months of dedication in work with the existing workload of prosecutors in basic public prosecutor's offices. This demotivates prosecutors for handling cases related to environmental crime, as well as for additional specialization in that area.<sup>57</sup>

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*Given the data on trainings conducted in the previous period, it appears that the approach to trainings in the area of criminal law environmental protection has not been systematic. Therefore, a more detailed assessments on training needs in the field is required. Furthermore, future trainings should be tailored to the participants' existing levels of knowledge and specific areas of interest.*

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More detailed information on training is presented in the table in Annex 3 of this Analysis.

#### **4.3. CHALLENGES IN APPLYING INTERNATIONAL AND EU BEST PRACTICES IN ENVIRONMENTAL CRIME CASES**

When it comes to the exploitation of mines, no account is taken of how much mineral wealth has been taken out of the country. Special education of inspectors in the field of controlling the exploitation of mineral wealth is required.<sup>58</sup>

In addition, it is necessary to adapt the national legislation with the EU Directive 2024/1203 on the protection of life through criminal law. In the case when some of the criminal offenses was committed which in its legal description contains terms "wider space" or "greater scope" as an important element, the expert will not be able to prove the existence of mentioned elements. Therefore, there no convictions will be issued for such criminal offenses. Bearing in mind above mentioned it is necessary to amend the entire chapter 24 of the Criminal Code. Very low sanctions are threatened, so the statute of limitations is short. All criminal offenses are subject to summary proceedings. In order to file an indictment, the

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56 Information was obtained based on interviews with public prosecutors during April 2025.

57 *Ibidem.*

58 Information was obtained based on interviews with public prosecutors during April 2025.

items of the criminal offense must be confiscated, the expert testimony must be precise, in some cases continuous measurement of environmental pollution is required.<sup>59</sup>

The new Directive foresees the use of all special investigative methods used in the fight against organized crime and other serious crimes. However, the use of those measures is not foreseen by the criminal legislation of the Republic of Serbia. Based on this, it can be concluded that at the level of the European Union, it is recognized that criminal acts against the environment are mostly connected with organized crime and corruption, so a special approach is necessary during the investigative procedure.

The criminal legislation does not provide measures that would be important for eliminating harmful consequences, and which court can order the polluter to take the following measures within a certain period:

- ▶ Environmental protection;
- ▶ Preservation and improvement of the environment, and
- ▶ Elimination of harmful consequences.

Therefore, when harmonizing the national criminal legislation with the EU Directive 2024/1203 on the protection of life through criminal law, the mentioned measures should also be prescribed.

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59 *Ibidem.*



## 5. HUMAN RESOURCE GAPS

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### 5.1. ASSESSMENT OF THE NUMBER OF PROSECUTORS HANDLING ENVIRONMENTAL CRIMES

In the Republic of Serbia, there is not a sufficient number of public prosecutors dealing with environmental crime. As already stated in the previous part of the analysis, public prosecutors perceive handling of cases related to environmental crime as something that is not an overly challenging area, i.e. crimes against the environment are perceived as so-called „petty criminality“.<sup>60</sup> Considering that in the Republic of Serbia there is no specialization of public prosecutors in the field of combating environmental crime and that these criminal offenses are within the jurisdiction of Basic Public Prosecutors Offices it is not possible to say how many of them have actually dealt with cases in this area in practice.

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*There is no specialization of public prosecutors in environmental crime matters in the Republic of Serbia.*

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When prosecutors receive a case related to environmental crime, they often consult colleagues from other regions who have prior experience in handling such cases.<sup>61</sup>

Bearing in mind that police inspectors who deal with environmental crime are currently distributed in 27 police departments and that 2-4 police inspectors work in one police department, while 5-6 of them work in police departments in larger cities (e.g. Novi Sad),<sup>62</sup> it would be useful if the same number of prosecutors acted in cases related to crimes against the environment. Therefore, such or a similar possibility should be considered in the following period.

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<sup>60</sup> *Ibidem.*

<sup>61</sup> *Ibidem.*

<sup>62</sup> *Ibidem.*

## 5.2. AVAILABILITY OF EXPERT SUPPORT (E.G., FORENSIC, ENVIRONMENTAL EXPERTS)

In the field of environmental protection, including the suppression of environmental crime, additional engagement of forensic experts and experts is necessary. Forensic experts do not exist in that area. According to the opinion of the interviewed public prosecutors, there is inadequate cooperation between the environmental, water and traffic inspectorates.<sup>63</sup>

The current list of experts on the website of the Ministry of Justice has not been updated and there is a lack of a more adequate division of experts by area.

As a positive example, information can be found on the website of the Association of Judicial Experts of Vojvodina, where a list of experts from the field of environmental protection by specialty and with contacts is provided.<sup>64</sup>

The number of authorized institutions for sample analysis and authorized laboratories depends on the permit issued by the Ministry of Environmental Protection. Therefore, choosing the right laboratory or institution for sampling depends on the price of their services.<sup>65</sup>

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*It would be highly beneficial to have expert staff employed within public prosecutor's offices to support handling of environmental crime cases. At present, prosecutors can refer to external laboratories, such as the laboratory in Bor or seek assistance from academic experts at relevant faculty. However, access to such expertise is often ad hoc and not sufficiently streamlined. It would therefore be valuable for the website of the Public Prosecutor's Office of the Republic of Serbia to include a dedicated section listing available laboratories and expert institutions, along with up-to-date contact information. This would significantly improve prosecutors' ability to request timely sample analysis and expert input. Currently, the information available on the websites of competent institutions is often inadequate and fragmented, making it difficult to identify and access the necessary support.*

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## 5.3. OVERVIEW OF POLICE CAPACITIES IN RELATION TO ENVIRONMENTAL CRIME

First, in February 2022, by the decision of the Minister of Internal Affairs, the Unit for Suppression of Environmental Crime was established. However, it was later abolished, so within the Crime Suppression Service, the Criminal Police Directorate, there is a department for the suppression of environmental crime. After that, a large number of inspectors left the Unit, i.e. he did not want to

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<sup>63</sup> *Ibidem.*

<sup>64</sup> <https://www.forensicexp-vojvodina.org.rs/clanovi-zastita-zivotne-sredine>.

<sup>65</sup> Information was obtained based on interviews with public prosecutors during April 2025. More information about availability of experts is in the part of this Analysis that deals with financial gaps.

work in the department. Today, in 27 police administrations, there are 2-4, or in larger cities (eg Novi Sad) 5-6 police inspectors according to the prosecutor's responsibilities, who investigate environmental crimes.<sup>66</sup>

In the police, there is only NCKF (National Center for Criminal Forensics), but samples of other species are sent there for analysis. Samples found at the scene of crimes against the environment are submitted, for example. Faculty of Chemistry, laboratory in Bor, Institute of Metallurgy, Faculty of Veterinary Medicine, Faculty of Biology (for example, when it cannot be determined to which animal the DNA found on the spot belongs). For example, the Spine Institute performs toxicological analyses, while many samples are also delivered to private laboratories. Some faculties are accredited to perform analyses of submitted samples, and some are not. However, evidence from non-accredited institutions cannot be used as evidence in criminal proceedings. Accreditation is carried out by the Ministry of Justice and the Ministry of Environmental Protection or the Ministry of Justice and the Ministry of Agriculture. The Ministry of Justice has lists of accredited laboratories, but they are not complete. Some data is available and some is not. For e.g. the Ministry of Defense is responsible for the analysis of the battle poison.<sup>67</sup>

When laboratories are hired and other expertise is performed, the police generally turn to the prosecutor's office to obtain an expert opinion order, so it is invoiced to the public prosecutor's office.<sup>68</sup>

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*The police do not have enough human resources. It is necessary to increase the number of operatives and implement additional specializations for various areas of environmental protection (e.g. protection of water, air, plants, etc.). Training with foreign lecturers, especially from Spain and Italy, would be important (e.g. WWF training). These trainings are best implemented through projects. There is a lack of training for special areas, for example, investigation of environmental excesses.*

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The Department for Suppression of Environmental Crime does not have its own special criminal technicians. When the police in Serbia go out to investigate, crime technicians from other stations are generally hired. When carrying out arrest actions, criminal technicians accompany the police. They should attend training for hazardous materials, waste and the like. Due to insufficient knowledge in the relevant fields, with criminal technicians and the police, environmental inspectors must always be present during the investigation.<sup>69</sup>

The police lack technical equipment, but also training for dangerous substances, because they cannot always rely on the help of the emergency sector. Their assistance is not necessary for hazardous waste and gas and ammonia leaks.<sup>70</sup>

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66 Information was obtained based on interviews with public prosecutors during April 2025.

67 *Ibidem.*

68 *Ibidem.*

69 *Ibidem.*

70 *Ibidem.*

According to the available information, there is a lack of technical means for the investigation. So far, a drone owned by a non-governmental organization (NGO), but not the police, has been used once. The city inspector was filming the field from a drone, and the defense attorney asked at the hearing whether the inspectors had the authority to take pictures from the air. However, bearing in mind that they are authorized to do so in misdemeanour proceedings as well, and that there are coordinates, there is no doubt that it cannot be used for evidence in criminal proceedings. In particularly serious cases, the police can rent drones and other technical means. However, this should not be the practice in the future, so the technical equipment of the police should be improved. A well-conducted investigation is an important prerequisite for conducting an investigation and evidentiary actions. There are now private companies that engage in aerial magneto topic imaging and thermal cameras for buried waste disposal. The existence of the Eco Group within the Ministry of Internal Affairs is considered a good solution, but according to the prosecutors, it has not been systematically introduced, so their organization has not been defined within the said Ministry, and neither the structure nor the jurisdiction have been normatively defined, which results in parallel actions and disagreements with the inspection due to overlapping jurisdictions. For this reason, additional strengthening of technical and personnel capacities is necessary for spreading in the area of combating environmental crime. However, in their actions, they always consult with the public prosecutor and act in accordance with his instructions, so there is progress in terms of their ability to get involved in solving environmental crime.<sup>71</sup>

#### 5.4. OVERVIEW OF INSPECTION CAPACITIES IN RELATION TO ENVIRONMENTAL CRIME

According to the available data, it seems that the number of inspectors in the field of environmental protection is lacking. At the end of last year, a total of 56 environmental protection inspectors were employed in the Department for Supervision and Preventive Action, although a total of 87 work positions for environmental protection inspectors were systematized by the Rulebook on internal organization and systematization of work positions.<sup>72</sup>

At the level of the Republic of Serbia, there are a total of 145 local self-government units, of which 12 do not have environmental protection inspectors assigned to them, in the following municipalities: Odžaci, Beočin, Bela Crkva, Kovačica, Kučevo, Žagubica, Batočina, Knić, Lučani, Svrlijig, Crna Trava and Krupanj.<sup>73</sup> The lack of the number of inspectors makes it impossible to carry out the planned inspections, and thus the detection of illegal activities to the detriment of the environment.

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<sup>71</sup> *Ibidem.*

<sup>72</sup> Republika Srbija, Ministarstvo zaštite životne sredine, Sektor za nadzor i preventivno delovanje u životnoj sredini, Godišnji izveštaj o radu inspekcije za zaštitu životne sredine, februar 2025, 24, <https://www.ekologija.gov.rs/sites/default/files/inline-files/Godi%C5%A1nji%20Izve%C5%A1taj%20o%20radu%20za%202024%20god%20%20Inspekcija%20zss.pdf>

<sup>73</sup> *Ibid.* 27.

According to the available information, inspectors from the field of environmental protection attended only a few trainings in the field of fighting against environmental crime, while most of the trainings conducted mainly refer to administrative procedures. In addition, it seems that the training topics are not systematized and connected.<sup>74</sup>

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*It the area of environmental protection through criminal law, it would be beneficial to organise joint trainings for public prosecutors and members of the Ministry of Interior who handle cases related to environmental crime. Such interdisciplinary training would enhance coordination and mutual understanding among key actors involved in enforcement. Additionally, it appears that environmental inspectors have not received adequate training in occupational safety, which is particularly concerning given the risks they often face during field inspections. Strengthening their safety knowledge is essential to ensure both effective enforcement and personal protection.*

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In the previous period, shortcomings were observed in terms of the quality of material and technical means and equipment, so it is necessary to improve this in order to make the work of the Environmental Protection Inspectorate more efficient and effective. Considering that the presence of inspectors during investigations is often very important to prosecutors, this can be difficult to achieve in practice. Namely, in addition to the lack of inspectors, material and technical means and equipment, they also lack vehicles that would enable them to have timely field control and presence during investigations. The vehicles available to inspectors are 13 years old and older, so frequent breakdowns are possible.<sup>75</sup>

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<sup>74</sup> *Ibid.* 25 and 26.

<sup>75</sup> *Ibid.* 24.





## 6. FINANCIAL GAPS

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### 6.1. BUDGETARY ALLOCATIONS FOR INVESTIGATING AND PROSECUTING ENVIRONMENTAL CRIMES

The lack of financial resources is also a problem in investigating and prosecuting environmental crimes.

In the current prosecutorial practice, certain financial obligations in the investigative procedure are assumed regardless of how it will end. Such a trend is certainly present when it comes to the services of court experts, who are rare and deal with a complex type of expertise. This could be considered justified considering that they would refuse to provide their services because they have to wait for the completion of the whole process (including the trial, which in some cases takes years).<sup>76</sup>

The arrears for the investigation generally significantly exceed the annual budgets intended for these costs. According to the data from the Analysis of public prosecution arrears from 2017, the annual budget for investigations should be increased by 230% in order to settle the arrears of all public prosecutions,<sup>77</sup> however this challenge persist over time.

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*A significant challenge in prosecuting environmental crime is the lack of dedicated budgetary funds from obtaining expert opinions and laboratory analysis. The Ministry of Finance does not allocate sufficient resources to support expert examinations, leading to their frequent avoidance due to high costs. Moreover, substantial outstanding debts remain for experts who provided services in previous cases. According to public prosecutors, the majority of these funds are allocated to the courts rather than to the public prosecutor's offices, which are the primary bodies responsible for conducting investigations. This misalignment hinders the timely and effective collection of evidence in complex environmental cases.*

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In addition, it is necessary to introduce the possibility of disposal of waste at the expense of the state. When the waste is confiscated, the defendant is ordered to

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<sup>76</sup> Analiza docnji javnih tužilaštava u Srbiji, Marh 2017, Multi-Donor Trust Fund for Justice Sector Support in Serbia, World Bank, Text is available at: <https://www.mdrtfjss.org.rs/archive/file/ProsecutorsArrears%20-%20RS.pdf>, 11.

<sup>77</sup> Ibid. 15

dispose of it, which can have a negative impact on the evidence in the criminal proceedings, and can also cause additional damage to the environment.<sup>78</sup>

The number of authorized institutions for sample analysis and authorized laboratories depends on the permit issued by the Ministry of Environmental Protection. Therefore, choosing the right laboratory or institution for sampling depends on the price of their services.<sup>79</sup> When securing evidence related to waste, the question of its disposal and storage during the procedure is especially raised. The prosecutor will generally hire experts to sample and analyse the stored waste. This means that the prosecution will bear those costs, but the question arises as to what will happen to that waste during the proceedings, which must not remain on the spot because it is dangerous for the environment, and how the authority of the proceedings in terms of Article 147 of the Code of Criminal Procedure, as well as after the temporary confiscation of the case, will ensure its safekeeping until the end of the proceedings.<sup>80</sup>

However, the question arises as to whether the waste can be permanently disposed of (taking into account the high costs of temporary disposal at an authorized operator), i.e. destroyed without a legally binding decision of the court, which is the only one that can in accordance with Article 87, paragraph 3 of the Criminal Code<sup>81</sup>, and on the other hand, if the waste is temporarily disposed of at an authorized operator, it is only possible for 12 months in accordance with Article 36 of the Law on Waste Management<sup>82</sup>, which is almost never enough, bearing in mind that these procedures complexities take longer. There is also the question of whether it is justified to destroy waste without a legally binding decision of the court, because not only would it be illegal, but it could also cause problems in the procedure, especially when the defense contests the analysis of samples or the expert opinion undertaken by the prosecution and in that sense engages expert advisors who request re-analysis of the samples or additional expert opinion, and the authorized laboratories that performed the first analysis of the samples only keep the samples for a certain period of time, usually shorter than the duration of the criminal proceedings. That is why in practice there are numerous doubts about handling waste as evidence, so it is necessary that the waste be disposed of permanently as soon as possible.<sup>83</sup>

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78 *Ibidem*.

79 *Ibidem*.

80 *Ibidem*.

81 Official Gazette of the Republic of Serbia, No. 72/2011, 101/2011, 121/2012, 32/2013, 45/2013, 55/2014, 35/2019, 27/2021 – Decision of the Constitutional Court, 62/2021 – Decision of the Constitutional Court.

82 Official Gazette of the Republic of Serbia, No. 36/2009, 88/2010, 14/2016, 95/2018 – Another Law and 35/2023.

83 *Ibidem*.

## 6.2. LIMITATIONS IN ACCESSING TECHNOLOGICAL TOOLS FOR CASE HANDLING

The prosecutor who leads the investigation should have professional knowledge and the necessary technical equipment in order to be able to conduct an effective investigation and secure evidence.

Technical equipment would mean equipment for personal protection, access to some less accessible places, possible use of drones, devices for measuring the concentration of pollutants in air, water, portable computer equipment and the like. Both the prosecutor and the police specializing in environmental crime should have all that.<sup>84</sup>

The specialization of public prosecutors in the field of environmental protection in Spain can be noted as an example of positive practice. It was established as the Unit for the Environment and Urban Planning at the level of the State Public Prosecutor's Office and the functions it performs are defined by the Law on the Organization of Work in the Public Prosecutor's Office. These are: implementation of the procedures prescribed in Article 5 of the Organic Statute of the Public Prosecutor's Office and intervening directly or through instructions given to delegates in those criminal proceedings that are of particular importance according to the state prosecutor's assessment, and which concern criminal offenses related to territorial planning, protection of historical heritage, protection of natural resources and the environment, protection of flora, fauna and domestic animals, as well as protection from forest fires. The Unit is managed by the Coordinator for the Environment and Urban Planning who supervises the work of the specialized departments for environmental protection in the territory of Spain and collects the appropriate reports. The coordinator manages the network of prosecutors for environmental protection on the delegation of the state prosecutor. The coordinator is responsible for unifying the criteria for the actions of public prosecutors acting in the field of environmental protection and urban planning and can propose the State prosecutor to issue appropriate instructions and, if necessary, summon prosecutors from specialized departments.<sup>85</sup>

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*Prosecutors rarely have professional knowledge and do not have technical equipment at their disposal. Therefore, it will always be necessary to have experts present at the investigation, from the following fields: technique, technology, mechanical engineering, chemistry, biology, veterinary medicine, etc., in order to properly conduct the investigation, as well as secure evidence.*

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When it comes to air pollution in practice, there are problems related to the adequate measurement of pollutants in the ambient air. The problem is the fact that the broadcasters do not provide continuous measurement of the pollutants they emit, while the emission measuring points are not placed in the right places,

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<sup>84</sup> *Ibidem*.

<sup>85</sup> Information are available at: <https://www.fiscal.es/web/fiscal/-/medio-ambiente?assetCategoryIds=36757>.

so they cannot provide valid evidence. That is why it is necessary for operators whose activity significantly affects the quality of the air on the emitters to install devices for continuous measurement of the emission of polluting substances. The place and method of installing the device must be determined based on expert opinions and analyses of authorized houses, while local governments must determine adequate places for measuring the immission of polluting substances, so that at each measuring point there is no more than one source of contribution to the content of polluting substances, and that at each measuring point within the designed network, the same combination of polluting substances is measured, and not a different combination of polluting substances, which is why it is not possible to monitor the spatial transport of polluting substances. Therefore, a cause-and-effect relationship between the emission of a particular pollutant from a specific operator-emitter and the increase in the concentration of that pollutant in the ambient air cannot be established, and expert reports in this sense cannot provide adequate evidence either.<sup>86</sup>

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86 *Ibidem.*



## 7. COORDINATION GAPS

## 7.1. EFFECTIVENESS OF COOPERATION BETWEEN PUBLIC PROSECUTION SERVICE AND POLICE

According to data from the annual reports on the work of public prosecution offices for 2024, 2023 and 2022, an increased number of criminal reports for crimes against the environment can be observed compared to the previous year for some criminal offenses.<sup>87</sup>

The largest number of criminal reports were against perpetrators of the crime of forest theft. The following table shows the number of submitted criminal reports by criminal offense from the group of criminal offenses against the environment.

Criminal offense	Number of criminal reports in 2024	Number of criminal reports in 2023	Number of criminal reports in 2022
Environmental pollution	31	203	20
Failure to take environmental protection measures	26	95	18
Illegal construction and commissioning of facilities and plants that pollute the environment	2	3	No criminal reports have been filled
Environmental damage	No criminal reports have been filled	7	20

87 Annual report on the work of public prosecutor's offices to combat crime and protect constitutionality and legality in 2022, available at: [http://www.vrhovnojt.gov.rs/docs/Izvestaj\\_Republika\\_Srbija\\_Republicko\\_javno\\_tuzila%25a1tvo\\_mart2023.pdf](http://www.vrhovnojt.gov.rs/docs/Izvestaj_Republika_Srbija_Republicko_javno_tuzila%25a1tvo_mart2023.pdf); Annual report on the work of public prosecutor's offices to combat crime and protect constitutionality and legality in 2023, available at: [http://www.vrhovnojt.gov.rs/docs/SKM\\_95824041013280.pdf](http://www.vrhovnojt.gov.rs/docs/SKM_95824041013280.pdf); Annual report on the work of public prosecutor's offices to combat crime and protect constitutionality and legality in 2024, available at <http://www.vrhovnojt.gov.rs/docs/Izvestaj-VrhJT-za-2024-qodinu.pdf>.

Destruction, damage, export abroad and import into Serbia of protected natural assets	18	20	16
Bringing dangerous substances into Serbia and illegal processing, disposal and storage of dangerous substances	203	166	67
Illegal construction of nuclear facilities	1	No criminal reports have been filled	No criminal reports have been filled
Violation of the right to information about the state of the environment	6	No criminal reports have been filled	No criminal reports have been filled
Killing and abusing of animals	173	162	129
Transmission of infectious diseases in animals and plants	6	6	No criminal reports have been filled
Negligent provision of veterinary care	3	2	No criminal reports have been filled
Production of harmful means for the treatment of animals	No criminal reports have been filled	2	No criminal reports have been filled
Contamination of food and water for feeding, i.e. feeding animals	3	8	3
Deforestation	49	57	68
Forest theft	767	979	1.187
Illegal hunting	69	62	96
Illegal fishing	40	51	26

**Note:** Judicial statistics lack data for criminal offenses prescribed by secondary criminal legislation, so the data are provided only for criminal offenses prescribed by the Criminal Code

For some criminal acts, it is noted that a smaller number of reports were submitted during 2024 compared to the previous year. Thus, the number of applications for the crime of environmental pollution was reduced by 84.73% in 2024 compared to 2023. For 72.64% fewer reports were filed in 2024 for the criminal offense of failure to take protective measures compared to 2023, as well as for the criminal offense of destruction, damage, export abroad and importation of protected natural goods into Serbia, where the number of criminal reports filed in 2024 decreased by 10% compared to the previous code. In the case of some other criminal acts, the number of reports increased in 2024 compared to 2023. This is the case with the criminal offense of damaging the environment, bringing dangerous substances into Serbia and illegal processing, disposal and storage of dangerous substances, where the number of reports increased by 23.03% compared to the previous year. According to the available data, there were no criminal charges in 2022 and 2023, so the first charges were filed in 2024 (e.g. illegal construction of nuclear facilities and violation of the right to information about the state of the environment).

The increase in the number of reported criminal acts against the environment can be the result of improving cooperation both with the police and with other authorities or even civil sector organizations.

In terms of cooperation between the police and public prosecutor's offices, there are different experiences of public prosecutors. In some cities, prosecutors believe that there is no adequate level of cooperation and that the police disclose confidential information in some cases, while in others they believe that there is adequate cooperation. According to the prosecutors, there is not a sufficient number of criminal reports filed by the police in Belgrade. They are mostly submitted by the non-governmental sector. However, the main drawback of their operation is that they lack the tools available to the police to secure relevant evidence. For example, the presence of search dogs that have undergone special police training for finding poisons is also an advantage of the police. However, prosecutors believe that their cooperation with the police would be further improved if a special prosecutor's police was established.<sup>88</sup> According to the opinion of public prosecutors in the Republic of Serbia, the existence of the Eco Group in the Ministry of Internal Affairs is a good solution, but it has not been systematically introduced, so their organization has not been defined within the said Ministry, and neither the structure nor the jurisdiction have been normatively defined, which results in parallel actions and disagreements with the inspection due to overlapping jurisdictions.<sup>89</sup> This has a negative impact on the number of criminal reports submitted by the police due to the suspicion of the existence of criminal offenses against the environment.

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*Prosecutors identify the lack of technical resources within the police as one of the main obstacles to effective cooperation. In practice this often means that equipment such as drones must be rented externally. Another serious concern is the unauthorised release of confidential information from ongoing investigations. That is why they believe that a special prosecutor's police should be established, which will be responsible to the public prosecutor's office for its work during the investigation.*

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88 Information was obtained based on interviews with public prosecutors during April 2025.

89 *Ibidem*.

## 7.2. EXISTING COOPERATION MECHANISMS AND CHALLENGES IN INFORMATION SHARING BETWEEN PROSECUTION AND INSPECTORS

In practice, the problem is the presence of environmental protection inspectors at the inspection, because the law does not recognize their status at the time of the inspection.<sup>90</sup>

In practice, a problem was observed in the communication between public prosecutors and competent inspectors from the field of environmental protection. It seems that the inspectors do not often consult the public prosecutors on duty, and after irregularities are observed, they issue only measures related to the elimination of irregularities, as well as orders that the subject of supervision perform the necessary analyses and sampling on their own. Such evidence cannot be used by the public prosecution, because it was not obtained in accordance with the provisions of the Criminal Procedure Code.<sup>91</sup> That is why it can be said that inspectors from the field of environmental protection are not aware of the need to cooperate with the public prosecutor's office in order to suppress crimes against the environment and that they do not know enough about the regulations in the field of criminal law. The fact that the criminal legislation does not recognize their role in the criminal procedure certainly contributes to this, while the regulations regulating their work do not prescribe the obligation to report criminal acts that harm the environment. And if such a crime is reported by the competent inspectors, there is a lack of evidence of importance for filing an indictment.<sup>92</sup>

Bearing in mind the previous educations attended by inspectors from the field of environmental protection, it can be concluded that they need educations from the field of criminal law, which were very few in the previous period. It would be useful if these educations were organized in cooperation with public prosecutors and the police, who act in cases related to environmental crime. The fact is that they do not have enough knowledge in the field of criminal law and that they need additional education.

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*The involvement of environmental protection inspectors during the investigation is crucial, as they possess the specialised expertise necessary to guide the police and prosecutors. Their input can help identify the direction of the investigation, including which evidence to collect, which documents to examine, and where potential traces of a criminal offense may be located. This collaborative approach not only enhances the quality of evidence but also contributes to reducing procedural costs.*

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## 7.3. GAPS IN INTERNATIONAL COOPERATION FOR CROSS-BORDER ENVIRONMENTAL CRIME CASES

The criminal offenses against the environment often are not limited to the territory of one country (e.g. air pollution spreads across border as well as water and land

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<sup>90</sup> *Ibidem.*

<sup>91</sup> *Ibidem.*

<sup>92</sup> *Ibidem.*



pollution). In addition, many criminal offenses are committed on the territory of several countries, such as waste management and disposal of dangerous substances, or smuggling of protected species. In order to suppress such criminal offenses, it is necessary to establish timely and effective cooperation of authorities and institutions from different countries.

Waste management is a lucrative activity and an area that is developing very quickly, which is why it is increasingly attracting criminals. The most successful waste traders are those who control the entire waste management process, from the source to the country of destination. Waste is traded between different countries primarily using legal business structures. Legal business structures often change owners and end their activity after a short period of activity and take over business as a new legal entity for trade. Legal entities operate at various stages of waste management and are often headquartered in other jurisdictions. Trade in waste is very often connected with other criminal acts, such as falsification of documents, economic fraud, tax evasion, corruption, money laundering, theft, disposal of waste from the illegal production of narcotic drugs.<sup>93</sup> Bearing in mind the cross-border character of environmental crime, as well as its connection with corruption in that area, it is necessary to establish adequate international cooperation, but it is also necessary to carry out ongoing education and additional specialization of public prosecutors who act in cases related to criminal acts against the environment. Improperly treated and/or disposed waste pollutes the soil, water and air causing permanent damage to the natural environment.

Trade in wild animals has a transnational character, both on the European Union market and on foreign markets. Wildlife traders trade in a variety of protected specimens of fauna and flora. These include non-CITES-listed wildlife, which traders are increasingly turning to to avoid the attention of law enforcement. In addition to endangered species, traders illegally smuggle pets without proper documentation and veterinary approval by advertising online. In addition, horses of dubious origin are also illegally traded in order to be illegally introduced into the food chain.<sup>94</sup>

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*Based on previous experience, international cooperation in cases of cross-border environmental crime remains largely absent. Even when prosecutors are notified by the ECO group of the MoI that a case involves transnational elements, there is typically no international exchange of information. As a result, criminal charges are usually filed solely for crimes committed within the territory of the Republic of Serbia.*

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93 EU SOCTA 2021 – Serious and Organised Crime Threat Assessment, A Corruption Influence: The Infiltration and Undermining of Europe's Economy and Society by Organised Crime, EUROPOL, 2021, [https://www.europol.europa.eu/cms/sites/default/files/documents/socta2021\\_1.pdf](https://www.europol.europa.eu/cms/sites/default/files/documents/socta2021_1.pdf), p. 54.

94 EUROPOL, The changing DNA of serious and organised crime, European Union, Serious and Organised Crime Threat Assessment, 2025, <https://www.europol.europa.eu/cms/sites/default/files/documents/EU-SOCTA-2025.pdf>, p. 66.



## 8. RECOMMENDATIONS

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The results of public prosecutor's offices and other state institutions in the previous period are very modest in the area of suppression of environmental crime. Therefore, in the following period, it is necessary to take a number of steps in order to improve their efficiency in work.

**Recommendation 1:** Alignment of national criminal legislation with EU Directive 2024/1203 on the protection of life through criminal law and its amendments in order to improve the efficiency of the public prosecution in combating environmental crime.

- ▶ The criminal legislation of the Republic of Serbia needs to be harmonized with the provisions of the new Directive 2024/1203, especially to consider use of special investigation technics in investigation of environmental crimes.
- ▶ Apart from prescribing stricter criminal sanctions for crimes against the environment, special measures should also be prescribed for criminal acts, such as, for example, removal of harmful measures and the like, especially with criminal acts:
  - ▶ Pollution of the environment (Article 260 of the Criminal Code);
  - ▶ Failure to take environmental protection measures (Article 261 of the Criminal Code);
  - ▶ Illegal construction and commissioning of buildings and plants that pollute the environment (Article 262 of the Criminal Code);
  - ▶ Destruction, damage and export abroad and bringing into Serbia a protected natural asset (Article 265 of the Criminal Code) and
  - ▶ Bringing dangerous substances into Serbia and illegal disposal and storage of dangerous substances (Article 266 of the Criminal Code).
- ▶ The removal of harmful consequences for the environment should be ordered at the expense of the perpetrators of criminal acts.
- ▶ In order to improve the prosecution of criminal acts against the environment, it is necessary to additionally define the provisions that prescribe them.
  - ▶ Criminal acts are of a blanket nature, and certain concepts are insufficiently defined. It is, for example, present in the criminal offense of environmental pollution, which is prescribed by Article

260 of the Criminal Code, where the basic form exists when violating the regulations pollutes the air, water or soil to a “greater extent” or over a “wider area”. Until now, the practice has interpreted the term “to a greater extent or in a wider area” mostly extensively and unequally. The same problem exists in connection with a more serious form of criminal offense when the essence of the offense is realized if there is a large-scale destruction of animal or plant life or if the elimination of the consequences requires a long time or large costs. Regarding the definition of the terms “large scale”, “longer time” or “large costs”, in which there is also an uneven practice, but it is still not enough to define the mentioned terms. The same problem exists in connection with the criminal offense of illegal construction and putting into operation of buildings and plants that pollute the environment, which is prescribed in Article 262 of the Criminal Code, which prescribes the destruction of flora and fauna on a “large scale” or that the “removal of damage requires a long time and large costs”.

- ▶ The legal description of the basic form of the criminal offense of bringing dangerous substances into Serbia and illegal processing disposal and storage of dangerous substances from Article 266 of the Criminal Code should be changed.
- ▶ There is a difficult to distinguish mentioned criminal offense from the economic offense prescribed in Article 88, paragraph 1, point 15 of the Law on Waste Management, which essentially refers to the punishment of legal and responsible persons who manage waste, including storage hazardous waste without the permission of the competent authority. However, there are a certain number of criminal judgments where the perpetrators of criminal acts were legally declared guilty for what they committed criminal offense prescribed by Article 266, paragraph 1 of the Criminal Code for committing the crime of illegal storage of hazardous waste.
- ▶ It is necessary to temporarily take care of the subject of the crime in order to conduct a financial investigation, which, according to the prosecutors, should be prescribed for the criminal offense of Bringing dangerous substances into Serbia and illegal disposal and storage of dangerous substances (Article 266 of the Criminal Code).
- ▶ Additional by-laws which should have been adopted together with the set of environmental law that were adopted in 2009 and 2010 must be adopted and harmonized with the current legislation in the field of environmental protection.

**Recommendation 2:** It is necessary to further improve the competencies of public prosecutors in order to suppress environmental crime.

- ▶ A specialisation within the prosecutor’s office for environmental crime should be considered, similarly as for the Prosecutor’s office for high-tech crime.

- Specialisation should ensure higher expertise among prosecutors in such complex and growing area of law. A specialised prosecutor's office would also deal with crimes related to environmental crime, but they also have elements of corruption. For now, there is no cooperation between basic public prosecutor's offices with the Prosecutor's Office for Organized Crime and special departments of higher public prosecutor's offices, even if the predominant element of environmental crime is corruption. Until now, such cases were mostly returned to the basic public prosecutor's offices, even though it was evident that a corrupt element prevailed in them.

**Recommendation 3:** It is necessary to improve the mechanisms that increase efficiency in securing evidence and preventing further damage to the environment.

- It is necessary to make clear instructions for inspectors where and how hazardous waste should be transported in order to ensure the preservation of evidence (e.g. various samples) that can later be used in criminal proceedings and prevent further harmful consequences.
- Introducing on-call inspection teams and establishing regional facilities for the disposal of hazardous waste and other dangerous materials will significantly improve response capacity. This requires an increase in the number of inspectors in the field of environmental protection, their supply with adequate equipment, the organization of various trainings that they would be obliged to attend, etc. It also requires securing additional financial resources.
- It is necessary to increase the number of operatives in the Ministry of Interior and implement additional specializations for various areas of environmental protection (eg protection of water, air, plants, etc.).
- Additional strengthening of technical and personnel capacities is necessary for spreading in the area of combating environmental crime.
- It would be useful to organize trainings with foreign lecturers, especially from Spain and Italy. There is a lack of training for special areas, for example, investigation of environmental excesses and the like.
- It is necessary to improve knowledge of public prosecutors that comes out of the legal framework, but it is also necessary to know a lot of sectoral regulations from certain areas (eg protection of water, forests, air, etc.).
- A more detailed assessments on training needs in the field is required. Furthermore, future trainings should be tailored to the participants' existing levels of knowledge and specific areas of interest.
- In area of the protection of environment by criminal law would be useful to organize joint trainings of public prosecutors, members of the Ministry of Internal Affairs and inspectors who deal with cases related to environmental crime. Special training should be organized from the

field of environmental protection in connection with the topic of safety at work.

- ▶ It would be highly beneficial to have expert staff employed within public prosecutor's offices to support handling of environmental crime cases. In addition, it would be valuable for to include a dedicated section listing available laboratories and expert institutions, along with up-to-date contact information.
- ▶ An organized list of available laboratories that could perform certain analyses for the needs of the public prosecution should be established. That list should be publicly available with contacts on the website of the Republic Public Prosecutor's Office.

**Recommendation 4:** Public prosecutor's offices must be provided with additional financial resources in order to carry out the investigation effectively. Data relevant to its implementation should be more transparent.

- ▶ For the efficient action of public prosecutors, is necessary to secure an adequate level of financial resources for performing laboratory analyses and necessary expertise.
- ▶ It is necessary to introduce the possibility of disposal of waste at the expense of the state.
- ▶ When the waste is confiscated, the defendant is ordered to dispose of it, which can have a negative impact on the evidence in the criminal proceedings, and can also cause additional damage to the environment.
- ▶ It is necessary to provide additional financial resources for the improvement of professional knowledge of public prosecutors and to procure necessary technical equipment in order to be able to conduct an effective investigation and secure evidence.
- ▶ Technical equipment would mean equipment for personal protection, access to some less accessible places, possible use of drones, devices for measuring the concentration of pollutants in air, water, portable computer equipment and the like.

**Recommendation 5:** It is necessary to improve the cooperation of public prosecutor's offices with other authorities in the field of suppression of criminal acts against the environment.

- ▶ With special protocols, it is necessary to establish mechanisms of effective and permanent cooperation and coordination (organizing virtual meetings and other forms of communication) between public prosecutors, inspectors in the area of the protection of environment and the police.
- ▶ Therefore, it is necessary to draft and sign a Protocol on cooperation between the relevant ministries so that cooperation is institutionalized and contributes to uniform and reliable behaviour. A significant part of that coordination should be the relevant non-governmental organizations. Their expertise, availability of resources and familiarity

with the problems on the ground should be used, considering that they are often in direct contact with the problems of citizens and the situation on the ground.

- ▶ The competence of the Eco Group of the Ministry of the Interior and the inspectorate responsible for environmental protection should be more clearly defined.
- ▶ The awareness of the inspection should be improved regarding the improvement of cooperation with public prosecutor's offices. The organization of joint trainings in the field of criminal law would contribute to this.
- ▶ It would be significant if the laws governing the field of environmental protection stipulate an obligation for inspectors from that field to notify the public prosecutor's office without delay in the event of suspicion of the existence of criminal acts endangering it.

**Recommendation 6:** International cooperation and exchange of information should be improved in order to prevent crimes against the environment. This would significantly contribute to the improvement of human, professional and financial resources of national organizations operating in the aforementioned area. To address this challenge authorities should consider:

- ▶ Establish designated. Focal points within the public prosecutor's office and the Mol for cross-border environmental crime to ensure timely information exchange and coordination.
- ▶ Utilising existing regional and international platforms, such as the Europol's Environmental Crime Network (EnviCrimeNet), the EU Network for the Implementation and Enforcement of Environmental Law (IMPEL) to facilitate case-based cooperation.
- ▶ Concluding bilateral agreements that explicitly cover environmental crime, ensuring mutual legal assistance, and information sharing are streamlined for environmental offenses.
- ▶ Enhancing training and guidance for prosecutors and police on using international cooperation tools in environmental crime cases.

**Recommendation 7:** Cooperation with the media should be improved so that citizens are informed in a timely manner and as fully as possible about everything related to the violation of environmental regulations by individuals or legal entities, about what each of the parties participating in the procedure has undertaken in the specific case, what are the consequences of the act, what citizens should undertake, how the procedure was carried out, i.e. what are the final decisions of the court and other authorities.

- ▶ Public notification can be achieved through press conferences or the publication of regular press releases on prosecutors' websites. It would also be important to inform citizens about their possibilities in connection with the contribution by collecting evidence or helping to conduct the proceedings in another way.

- The public knows very little about the actions of environmental protection inspections, as well as public prosecutions, not only in terms of air protection, but also in other areas, although this right is guaranteed to them by the Constitution, as well as by Article 262 of the Criminal Code, which was conditioned by the ratification of the Aarhus Convention. This can contribute to the creation of the impression that the judiciary and related entities, whether it is the police or the environmental inspection, are not taking adequate measures, because citizens are not informed of how many cases have been processed, how many perpetrators have been punished and whether they have been banned from further work in an activity that pollutes the environment and the like, except in a few cases that have been covered by the media.

# ANNEX 1

Criminal offense	Total number of criminal reports	Rejected reports	Criminal complainant	Number of accused persons	Type of verdict	Number of pending cases
Environmental pollution	65	18, of which 6 by applying the opportunity of criminal prosecution	Police: 24 Other government bodies: 1 Damaged: 5 Another complainant: 1	5	Convictions 2	18 at PPO and 18 at other state authorities
Failure to take environmental protection measures	64	17, of which 11 by applying the opportunity of criminal prosecution	Police: 23 Other government bodies: 1 Damaged: 1 Ex officio Public Prosecutor: 1	7	Convictions Negative Verdict	12 at PPO and 28 at other state authorities
Illegal construction and commissioning of facilities and plants that pollute the environment	3	2 by applying the opportunity of criminal prosecution	Police: 2	No person accused	No judgement was made in 2024	1 at other state authorities



Damage to buildings and devices for the protection of environment	No report was filled in 2024	N/A	N/A	No person accused	No judgement was made in 2024	N/A
Environmental damage	20	4, of which 2 by applying the opportunity of criminal prosecution	Police: 8 Damaged: 1	No person accused	No judgement was made in 2024	5 at PPO and 11 at other state authorities
Destruction, damage, export abroad and import into Serbia of protected natural assets	32	13, of which 6 by applying the opportunity of criminal prosecution	Police: 17 Other governments bodies: 1	8	2 convictions	2 at PPO and 9 at other state authorities
Bringing dangerous substances into Serbia and illegal processing, disposal and storage of dangerous substances	303	44, of which 19 by applying the opportunity of criminal prosecution	Police: 173 Other government bodies: 24 Damaged: 3 Others: 3	131	Convictions	110
					Acquittals	2
					Negative verdicts	2
Illegal construction of nuclear facilities	1			No accused persons	No judgement was made in 2024	1 at other state authorities

Violation of the right to information about the environment	21	4	Other governments bodies: 2 Damaged: 1 Others: 3 Police: 128	No accused persons	No judgement was made in 2024	3 at PPO and 14 at other state authorities
Killing and abusing of animals	302	104, of which 29 by applying the opportunity of criminal prosecution	Other government bodies: 6 Damaged: 22 Ex officio Public Prosecutor: 2 Others: 15	47	Convictions	78 at PPO and 73 state authorities
					Acquittals	2
Transmission of infectious diseases in animals and plants	4	4 of which 2 applying the opportunity of criminal prosecution		No person accused	No judgement was made in 2024	No pending cases
Unscrupulous provisions of veterinary assistance	3	2	Damaged: 1 Others: 2	No person accused	No judgement was made in 2024	1 person at PPO and 1 at other state authorities
Production of harmful animal treatment products	No report was filled in 2024	N/A	N/A	No person accused	No judgement was made in 2024	N/A
Contamination of food and water for feeding, basic animal watering	6	2 of which 2 applying the opportunity of criminal prosecution	Police: 3	3	No judgement was made in 2024	1 at other state authorities

Deforestation	99	35, of which 15 by the applying of opportunity of criminal prosecution	Police: 19 Other government bodies: 9 Damaged: 14 Ex officio Public prosecutor: 5 Others: 2	19	Convictions 7	21 at PPO and 24 at other state authorities
Forest theft	1610	630, of which 176 by the applying of opportunity of criminal prosecution	Police: 449 Other government bodies: 113 Damaged: 175 Ex officio Public Prosecutor: 17 Others: 13	297	Convictions	229
					Acquittals	29
					Negative verdicts	17
Illegal hunting	115	51, of which 17 by the applying the opportunity of criminal prosecution	Police: 42 Other government bodies: 9 Damaged: 12 Ex officio Public Prosecutor: 3 Others: 3	11	Acquittals	2
					Convictions	2
					Negative verdict	1
Illegal fishing	76	17, of which 9 by the applying the opportunity of criminal prosecution	Police: 36 Damaged: 4	23	19 convictions	12 at PPO and 24 at other state authorities

**Table 1** – Source: Report of the Supreme Public Prosecutor's Office on the work of public prosecutor's offices in combating crime and protecting constitutionality and legality in 2024, Belgrade, April 2025, pp. 59-64. Available at: <http://www.vrhovnojt.gov.rs/docs/Izvestaj-VrhJT-za-2024-godinu.pdf>

Criminal offense	Total number of criminal reports	Rejected reports	Criminal complainant	Number of accused persons	Type of verdict	Number of pending cases
Environmental pollution	302	65, of which 22 by applying the opportunity of criminal prosecution	Police: 168 Other government bodies: 10 Damaged: 3 <i>Ex officio</i> Public Prosecutor: 2 Another complainant: 1	131	Convictions	16 at PPO and 90 at other state authorities
					Acquittals	2
					Negative verdicts	2
Failure to take environmental protection measures	139	24, of which 9 by applying the opportunity of criminal prosecution	Police: 86 Other government bodies: 2 Damaged: 3 <i>Ex officio</i> Public Prosecutor: 2 Another complainant: 2	51	Convictions	40 at PPO and 23 at other state authorities
Illegal construction and commissioning of facilities and plants that pollute the environment	8	2	Police: 2 Others: 1	4	No judgement was made in 2023	1 at PPO and 1 at other state authorities

Damage to buildings and devices for the protection of the environment	5	2	Damaged: 1 <i>Ex officio</i> Public Prosecutor: 1	No person accused	No judgement was made in 2023	3 at other state authorities
Environmental damage	20	8, of which 9 by applying the opportunity of criminal prosecution	Police: 2 Other government bodies: 2 Damaged: 3	No person accused	No judgement was made in 2023	3 at other state authorities
Destruction, damage, export abroad and import into Serbia of protected natural assets	29	19, of which 2 by applying the opportunity of criminal prosecution	Police: 19 Damaged: 1	5	6 convictions	6 at PPO and 8 at other state authorities
Bringing dangerous substances into Serbia and illegal processing, disposal and storage of dangerous substances	231	44, of which 21 by applying the opportunity of criminal prosecution	Police: 157 Other government bodies: 6 Damaged: 1 Others: 1	87	54 convictions	49 PPO and 51 at other state authorities
Illegal construction of nuclear facilities	1			No accused persons	No judgement was made in 2023	1 at other state authorities

Violation of the right to information about the environment	18	4, of which 1 by applying the opportunity of criminal prosecution		No accused persons	No judgement was made in 2023	4 at PPO and 10 at other state authorities
Killing and abusing of animals	278	115, of which 26 by applying the opportunity of criminal prosecution	Police: 100 Other government bodies: 4 Damaged: 36 <i>Ex officio</i> Public Prosecutor: 2 Others: 20	34	Convictions	4 at PPO and 55 at other state authorities
					Acquittals	4
					Negative verdicts	2
Transmission of infectious diseases in animals and plants	7	3 of which 1 applying the opportunity of criminal prosecution	Police: 4 Other government bodies: 2	No person accused	1 conviction	3 at PPO and 1 at other state authorities
Unscrupulous provisions of veterinary assistance	2	1	Damaged: 1 Others: 1	No person accused	No judgement was made in 2023	1 person at PPO
Production of harmful animal treatment products	1		Police: 1	1	1 conviction	
Contamination of food and water for feeding, basic animal watering	10	4	Police: 6 Damaged: 2	2	1 conviction	2 at PPO and 2 at other state authorities

Deforestation	107	31, of which 11 by the applying of opportunity of criminal prosecution	Police: 39 Other government bodies: 11 Damaged: 5 Ex officio Public prosecutor: 1 Others: 11	30	convictions	18	35 at PPO and 11 at other state authorities
					acquittals	2	
					negative verdicts	2	
Forest theft	1849	750, of which 260 by the applying of opportunity of criminal prosecution	Police: 541 Other government bodies: 146 Damaged: 257 Ex officio Public Prosecutor: 18 Others: 17	319	convictions	287	294 at PPO and 486 at other state authorities
					acquittals	29	
					negative verdicts	22	
Illegal hunting	116	52, of which 23 by the applying the opportunity of criminal prosecution	Police: 46 Other government bodies: 5 Damaged: 5 Ex officio Public Prosecutor: 2 Others: 3	16	acquittals	7	16 at PPO and 32 at other state authorities
					convictions	6	
					negative verdict	1	
Illegal fishing	68	15, of which 6 by the applying the opportunity of criminal prosecution	Police: 46 Damaged: 4	17	15 convictions		10 at PPO and 26 at other state authorities

**Table 2** – Source: Report of the Supreme Public Prosecutor's Office on the work of public prosecutor's offices in combating crime and protecting constitutionality and legality in 2023, Belgrade, March 2024, pp. 50-55. Available at: [http://www.vrhovnojt.gov.rs/docs/SKM\\_95824041013280.pdf](http://www.vrhovnojt.gov.rs/docs/SKM_95824041013280.pdf)

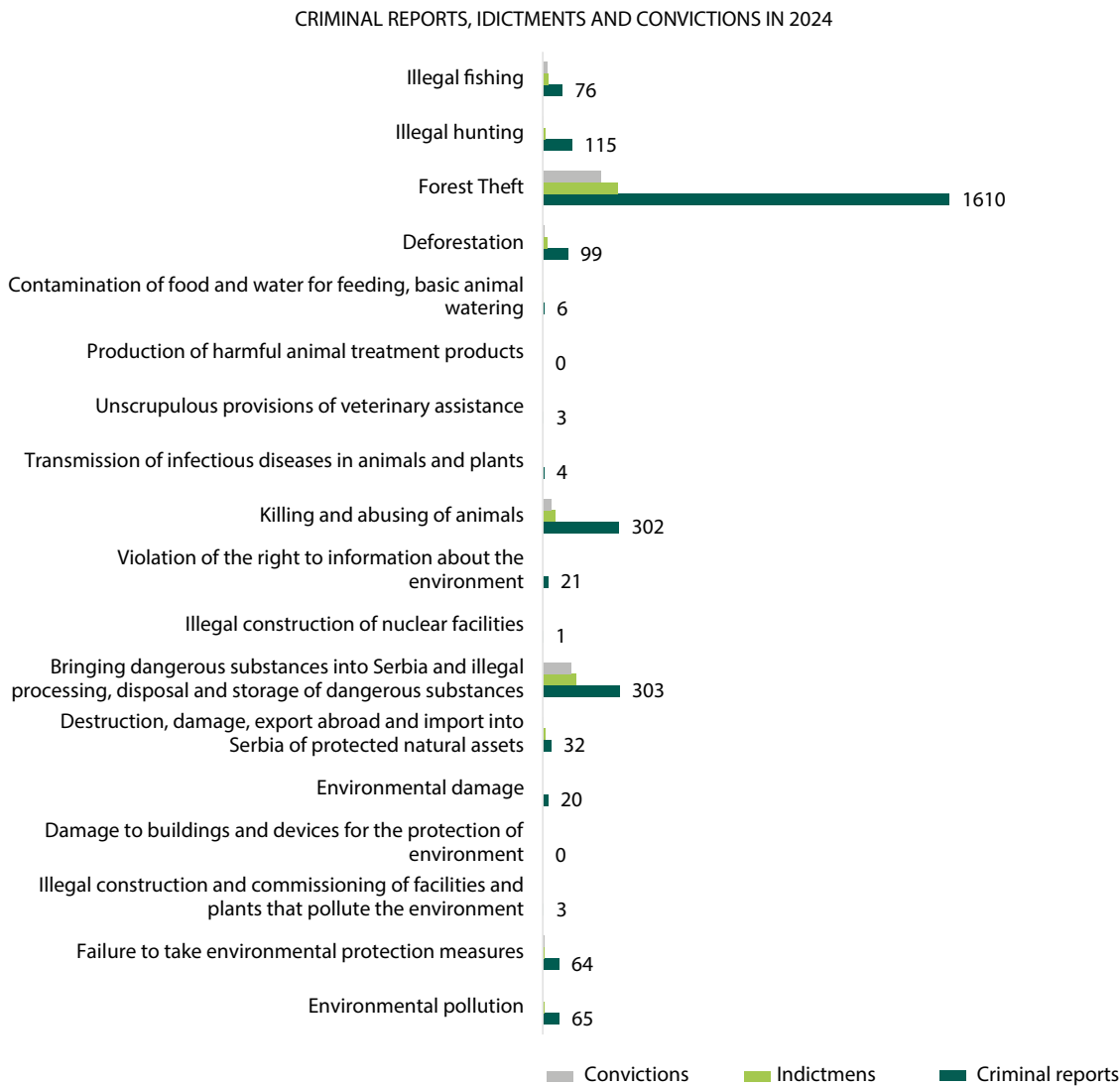
## ANNEX 2

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Based on the appearance of the above graph, it can be concluded that a very small number of perpetrators of crimes against the environment are convicted. In addition, some criminal acts such as production of harmful animal treatment products, unscrupulous provisions of veterinary assistance, transmission of infectious diseases in animals and plants, illegal construction of nuclear facilities, illegal construction and commissioning of facilities and plants that pollute the environment do not exist in the practice of public prosecutions. When it comes to the criminal offense of environmental pollution, it can be seen that there is a disproportion with the number of criminal reports filed. It is similar with the criminal offense of environmental damage. In such situations, it is possible that criminal charges were filed against unknown perpetrators, but that the perpetrators of criminal acts were not discovered due to the lack of timely cooperation of the competent authorities or the lack of adequate technical means and equipment for conducting investigations.

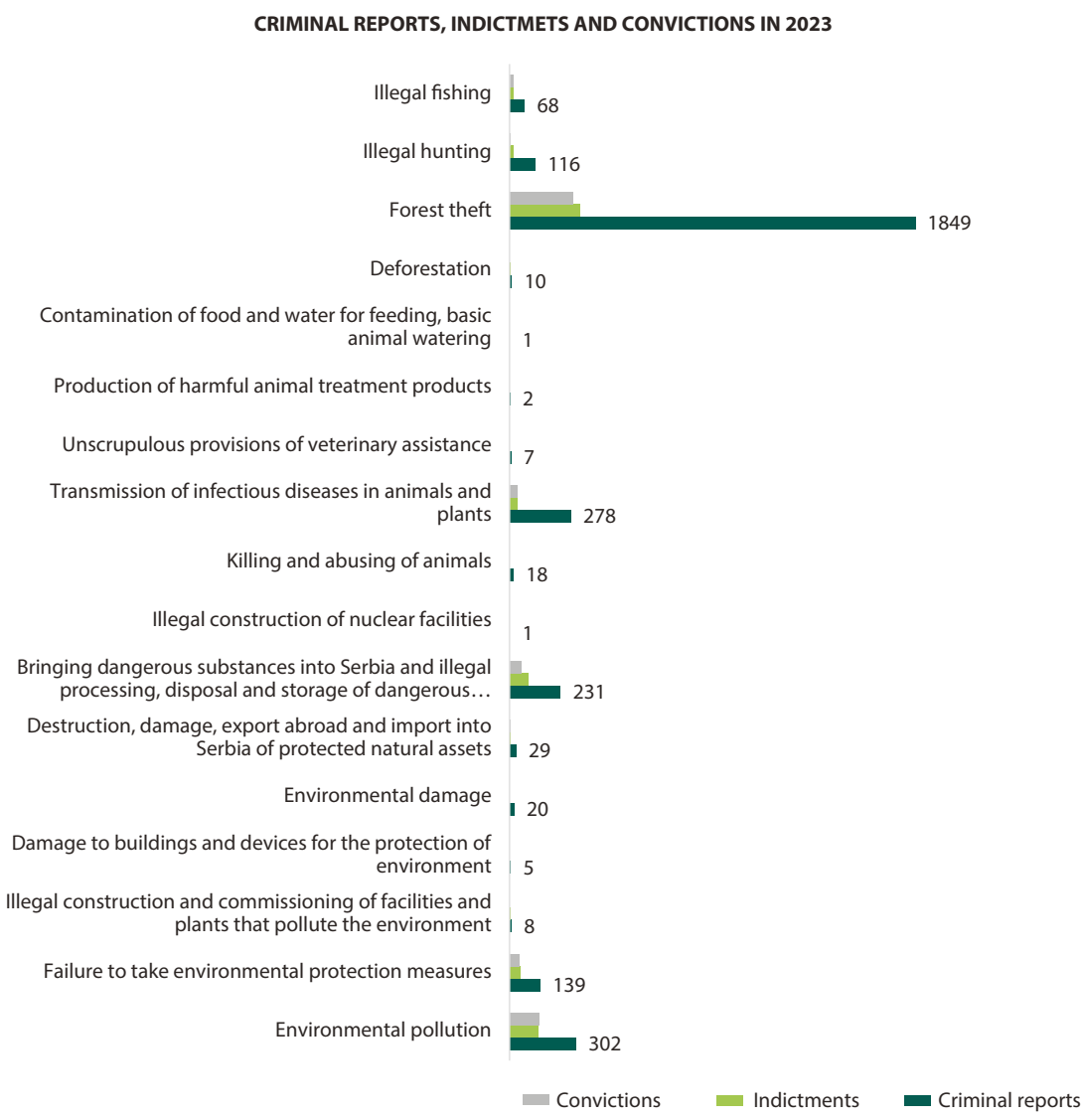


**Graph 1** – Data are taken from Table 1 which is in Annex 1 of this Analysis



Based on the appearance of the above graph, it can be concluded that a very small number of perpetrators of crimes against the environment are convicted. In addition, some criminal acts such as contamination of food and water for feeding, basic animal watering, production of harmful animal treatment products, illegal construction of nuclear facilities and damage to buildings and devices for the protection of environment do not exist in the practice of public prosecutions. In contrast to the 2024, a greater number of criminal reports were noticed during the 2023 for the criminal offense of environmental pollution, when a proportionate number of indictments were filed and a proportionate number of convictions were rendered.

Graph 2 – Data are taken from Table 2 which is in Annex 1 of this Analysis



# ANNEX 3

Year	Training topic	Source of funding, duration of training and method of organization	Participants	Number of participants
2024	Environmental law - “Considering the specialization of judges and prosecutors in environmental cases”		Judges, assistant judges, Chief Public Prosecutors, public prosecutors, assistant prosecutors, users of the initial training of the Judicial Academy who have passed the final exam, users of the initial training of the Judicial Academy, police officers, employees of the Ministry of Environmental Protection	15 participants
	Environmental law - initial training program	1 event		16 participants
	Environmental courts and tribunals	1 event	Judges, assistant judges, Chief Public Prosecutors, public prosecutors, assistant prosecutors, users of the initial training of the Judicial Academy who have passed the final exam, users of the initial training of the Judicial Academy, police officers, employees of the Ministry of Environmental Protection	3 participants
	Environmental law			39 participants

<p><b>2023</b></p>	<p>"Improving coordination among key actors with the aim of better law enforcement and prosecution of environmental crime cases"</p> <p>Basic training in environmental law with the following topics:</p> <ul style="list-style-type: none"> <li>- Introductory and basic issues of environmental protection, basic principles of environmental protection, protection of some parts of the environment in the legal order of Serbia);</li> <li>Civil legal protection of the environment and representation of the right to legal protection in the field of the environment with special reference to responsibility for environmental damage, environmental crime and environmental forensics in the Republic of Serbia;</li> <li>- Commercial offenses with an element of environmental protection, misdemeanour environmental protection;</li> <li>- Criminal protection of the environment and environmental crimes</li> </ul> <p>Environmental Law, 7 modules</p>	<p>Judicial Academy, 6 one-day seminars</p> <p>OSCE and Judicial Academy, 1 four-day seminar, presentations, workshops and discussion</p> <p>Online distance learning platform</p>	<p>Attendees of the Judicial Academy, tenth generation</p>	<p>17 participants</p> <p>1 participant</p>
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2022	<p>Environmental law - criminal protection "Procedure of state authorities in case of improper management of hazardous waste and illegal activities in protected areas"</p> <p>"Application of environmental law regarding pollution in the Republic of Serbia, Montenegro and the European Union."</p>	<p>The project of the OSCE mission in Serbia and the budget of the Judicial Academy. Lecture (mini-lesson) and seminar (4 one-day seminars)</p> <p>Presentation, workshop and discussion (1 one-day event)</p>	<p>Deputy public prosecutors from basic public prosecutor's offices from the area of all appeals, environmental protection inspectors and police officers</p> <p>Judges, assistant judges, public prosecutors and assistant prosecutors who act in environmental cases from the Republic of Serbia and the Republic of Montenegro.</p>	
2021	<p>" Strategic public information on environmental subjects"</p> <p>"Basic training in environmental law"</p> <p>"Environmental cases before the European Court of Justice"</p>	<p>OSCE and the Judicial Academy. Two one-day online seminars were held</p> <p>OSCE and the Judicial Academy. Two three-day webinars were held for judges and assistant judges of basic courts from the area of higher courts.</p> <p>EIPA - European Center for Judges and Lawyers in Luxembourg and the Judicial Academy. One two-day webinar for judges and judicial assistants of commercial courts and the Commercial Court of Appeal</p>	<p>Spokespersons in basic public prosecutor's offices, prosecutors and their deputies from the area of Belgrade appeal</p> <p>Judges and assistant judges of basic courts from the area of higher courts: Belgrade, Valjevo, Vranje, Zaječar, Leskovac, Negotin, Niš and Pancevo, as well as beneficiaries of the initial training of the IX generation of the Judicial Academy</p> <p>Judges and assistant judges of commercial courts and the Commercial Court of Appeal</p>	15 participants (at both

2020	<p>"Investigation into environmental matters - hazardous waste and providing professional information to the media regarding environmental matters"</p> <p>Environmental law</p>	OSCE and the budget of the Judicial Academy Judicial Academy, 2 webinars	Basic public prosecutors and their deputies and assistants, judges of basic courts	<p>8 participants</p> <p>24 participants</p>
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Table 3: Trainings organized by the Judicial Academy in the period from 2020-2024

