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ENVIRONMENTAL PLANNING AND CONSTRUCTION

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Introduction

Definition: **Environmental planning** involves organising the use of land and resources in a way that is sustainable and environmentally responsible and construction that must be regulated to protect the environment and public interest.

The concept of **environmental criminality**: acts committed intentionally or with the potential to harm the environment, particularly for business or personal gain.



Environmental Planning

Causes and Drivers of Environmental Crimes

- Environmental crimes are often driven by **socio-economic factors**, including moral degradation, rising poverty, and increasing social inequalities
- data are showing that environmental crime is the fastest growing form of transnational crime that brings high profits and low risks compared to traditional forms of transnational organized crime
- It should be noted that the effects of environmental crime are specific, especially as it does not express directly to the people (as in conventional crime), but rather to the environment, and therefore in long term and to the human directly.



Legal Frameworks and International Cooperation

- Despite the increasing scale of environmental crimes, there is no universally accepted **legal definition** or standardized approach to **environmental criminality** at the international level. However, significant international agreements such as the **1972 United Nations Declaration on the Environment**, the **1992 Declaration on Environment and Development**, and the **1998 Convention on Access to Information** have been adopted to address these concerns.
- The role of **Interpol** and international agencies like **EUROPOL** in facilitating **information exchange** and **coordinated actions** against environmental crimes cannot be overstated.



Environmental Crime in the Context of Construction and Planning



Illegal construction practices, land grabbing, and unlawful exploitation of natural resources for building projects are common forms of environmental crime.

The role of environmental planning is central to mitigating such risks. Effective planning can prevent environmental damage, ensure the sustainable use of resources, and enforce the legal standards set by environmental protection laws.



The Role of Specialized Institutions in Combating Environmental Crimes

France has a **specialized inter-institutional unit** that handles environmental criminal investigations, particularly related to public health and ecological offenses.

Italy and **Spain** have set up dedicated police forces and prosecutorial offices to address these crimes.

Legal Framework in Montenegro

Article 326a	Construction of a building without notification and construction documentation
Article 326b	Construction of a complex engineering structure without building permit
Article 326c	Illegal connection to infrastructure



Case study and statistics

Cases of Construction in Montenegro:

Budva-Arrest of a Turkish Citizen for Illegal Construction

Podgorica-Illegal Extension on Vukica Mitrović Street

Illegal Building linked to Montenegrin Officials

According to data from 2020, a total of 44,178 buildings were constructed without a building permit in Montenegro, while 1,079 buildings lack a usage permit. The highest number of illegal structures was recorded in Podgorica (17,142), Ulcinj (4,754), and Bar (4,723).



Recommendations

- Strengthen inspection services and legal penalties
- Improve inter-institutional cooperation
- Promote environmental education
- Adopt and enforce EU environmental standards

Conclusion



In conclusion, **environmental planning and construction** are areas that intersect with criminal law in significant ways. As environmental crimes become more widespread, it is essential that national and international legal frameworks evolve to address these challenges. The collaboration between **legal institutions, law enforcement agencies, and international bodies** like **Interpol** is crucial to tackling transnational environmental crimes effectively.

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