
THE ROLE OF NATURE AND ENVIRONMENTAL PROTECTION LEGISLATION IN SUSTAINABLE TOURISM DEVELOPMENT IN PROTECTED MOUNTAIN AREAS IN KOSOVO

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Abstract: Tourism development in protected mountain areas offers significant opportunities for local and regional economic growth, yet it requires a careful balance between the use of natural resources and their long-term conservation. This paper examines the role of the legal framework in regulating tourism activities in protected areas in Western Kosovo, with a particular focus on the Law on Nature Protection (No. 02/L-18), the Law on Environmental Protection (No. 03/L-025), and the Law on National Parks (No. 04/L-087). By analyzing key provisions regarding spatial planning, construction permits, ecosystem protection, and visitor management, as well as the Management Plan of the “Bjeshkët e Nemuna” National Park, the study identifies the main legal and institutional challenges that affect sustainable tourism governance. The findings show that, although the legislation is generally aligned with European conservation principles, its practical implementation is often limited due to overlapping institutional responsibilities, insufficient monitoring capacity, and economic development pressures. The paper proposes measures to strengthen inter-institutional coordination, improve enforcement mechanisms, and promote sustainable tourism practices that ensure the preservation of natural and cultural values in protected mountain regions.

Keywords: Sustainable tourism, Protected areas, Environmental legislation, National Parks

1. INTRODUCTION

Protected mountain areas are widely recognized as among the most ecologically fragile and culturally meaningful territorial units, providing vital ecological services, recreational opportunities, and cultural identity values (UNWTO, 2020). In recent years, these landscapes have gained increasing importance for tourism development, particularly in countries where mountain ecosystems represent key environmental and economic assets, including Kosovo. The growing demand for nature-based and adventure tourism has encouraged new economic activities in such regions; however, without adequate regulation, tourism expansion can generate significant ecological and social pressures (IUCN, 2019). Therefore, the advancement of sustainable tourism in protected areas is not merely a policy preference, but an obligation grounded in environmental law and governance frameworks (Tahiri, 2021).

The western mountainous zone of Kosovo, notably the area designated as Bjeshkët e Nemuna National Park, embodies these opportunities and challenges. The region is characterized by high biodiversity, endemic flora and fauna, extensive forest resources, glacial formations, and historical land-use practices tied to pastoral traditions (Ministry of Environment and Spatial Planning, 2021). The scenic and cultural values of the area have stimulated growth in hospitality, outdoor recreation, and rural tourism services. Nonetheless, this expansion has also produced environmental pressures such as habitat disturbance, unmanaged waste, unauthorized constructions, and excessive use of natural trails and freshwater sources (Brezovska et al., 2022).

To address these concerns, Kosovo has established a legal framework that aims to harmonize tourism development with nature conservation. The Law on Nature Protection (No. 02/L-18) outlines principles for biodiversity conservation and defines rules for managing protected areas. The Law on Environmental Protection (No. 03/L-025) provides instruments for environmental impact assessment and mechanisms for pollution control, while the Law on National Parks (No. 04/L-087) regulates governance and planning processes specific to protected territories (Official Gazette of Kosovo, 2022). These legal instruments collectively seek to ensure that tourism development respects ecological carrying capacity and cultural heritage protection (Tahiri, 2021).

Despite the normative clarity of the legislation, practical implementation remains challenging. Enforcement gaps arise from overlapping institutional mandates between central environmental authorities, park administrations, and municipal structures, accompanied by limited monitoring capacity and economic pressures linked to private investment interests (Nushi & Tolaj, 2020). Such difficulties can result in uncontrolled development, degradation of natural habitats, and the weakening of cultural landscape values.

This research therefore explores the extent to which the existing legal framework effectively regulates tourism in Kosovo's protected mountain regions. The study emphasizes the need to strengthen inter-institutional coordination, improve enforcement practices, and foster participatory planning processes involving local communities, park authorities, and private tourism stakeholders. Sustainable tourism development requires not only laws on paper, but also transparent, coherent, and consistent implementation in practice (Tahiri, 2021; UNWTO, 2020).

2. LITERATURE REVIEW

Research on sustainable tourism in protected mountain areas emphasizes the need to develop tourism in ways that ensure the long-term preservation of natural and cultural resources. Sustainable tourism requires a balance between environmental stewardship, socio-cultural integrity, and economic viability, particularly in ecologically sensitive territories such as national parks and nature reserves (UNWTO, 2020). Protected mountain regions are not only characterized by their high biodiversity and scenic landscapes, but also by their vulnerability to environmental degradation resulting from unmanaged tourism flows (IUCN, 2019). As emphasized by Tahiri & Kovaçi (2022), sustainability in tourism is both an ecological necessity and a developmental obligation, requiring governance structures that respect environmental limits.

In the Western Balkans, mountain tourism has expanded significantly over the last decade, driven by growing interest in adventure tourism, hiking, climbing, rural experiences, and ecotourism (Brezovska et al., 2022). However, research indicates that tourism growth has often occurred prior to the establishment of adequate planning and monitoring frameworks, leading to infrastructural pressures and risks to landscape integrity. Recent studies in Kosovo highlight that tourism development in mountain regions must be framed within sustainable strategies that respect local socio-cultural identity and heritage values (Tahiri et al., 2025). The evolution of sustainable tourism from a broad environmental concept to a binding governance framework is therefore evident in both academic literature and policy discourse (Tahiri, 2025).

The legislative dimension plays a central role in this process. In Kosovo, protected mountain regions such as Bjeshkët e Nemuna National Park are regulated under a suite of environmental and nature protection laws. The Law on Nature Protection (No. 02/L-18) safeguards biodiversity and ecosystem functions, and aligns national legislation with European conservation directives (Official Gazette of Kosovo, 2022). The Law on Environmental Protection (No. 03/L-025) requires environmental impact assessments for tourism-related developments, while the Law on National Parks (No. 04/L-087) sets zoning rules and restrictions on construction and commercial use (Ministry of Environment and Spatial Planning, 2021). However, research in Kosovo suggests that the implementation of these laws often remains limited due to administrative overlaps and fragmented governance systems (Nushi & Tolaj, 2020).

Studies from other Western Balkan contexts reflect similar challenges: environmental legislation may appear comprehensive, yet real-world governance is shaped by local economic pressures, competing land-use interests, and limited monitoring capacity (Stojanovski & Petrova, 2021). In Kosovo, these dynamics are visible particularly in areas experiencing tourism expansion, where local authorities and investors may prioritize short-term development benefits over long-term conservation needs (Sejfić & Tahiri, 2025).

Community participation has emerged as a critical component of sustainable tourism governance. When local residents are involved in planning processes, environmental awareness tends to increase, and the likelihood of responsible resource stewardship improves (Dangi & Jamal, 2020). This is especially relevant in Kosovo, where cultural heritage and traditional pastoral land-use practices are deeply embedded in mountain communities and contribute to destination attractiveness (Tahiri, 2025). Meanwhile, environmental sustainability in tourism also depends on effective resource management practices, including waste management systems that prevent ecological degradation (Kuqi et al., 2023).

Finally, the concept of carrying capacity remains key. Recent scholarship underscores the need for tools to measure visitor pressure and ecological thresholds in protected landscapes (Giampiccoli & Mtapuri, 2021). Areas lacking such monitoring risk exceeding ecological limits, leading to erosion, habitat disturbance, and pollution.

3. METHODOLOGY

This study employs a qualitative research methodology designed to analyze the role and effectiveness of environmental protection legislation in shaping sustainable tourism development in protected mountain areas in Kosovo. Given the legal, environmental, and governance-oriented nature of the research topic, a qualitative approach is particularly suitable because it enables an in-depth interpretation of regulatory frameworks, institutional structures, and stakeholder perspectives rather than the numerical measurement of tourism outputs (Tahiri & Kovaçi, 2022). The methodology integrates **document** analysis, policy review, and comparative case analysis, which are commonly applied in sustainable tourism governance research (UNWTO, 2020; IUCN, 2019).

The first stage of the research involved a systematic review of the primary legislative documents governing environmental protection and tourism development in Kosovo. This included the Law on Nature Protection (No. 02/L-18), the Law on Environmental Protection (No. 03/L-025), and the Law on National Parks (No. 04/L-087). These legal texts were examined to identify key provisions related to protected area management, biodiversity conservation, construction and zoning restrictions, environmental monitoring, and institutional responsibilities. In addition, the legislation was cross-referenced with strategic and administrative documents, including the Management Plan of the Bjeshkët e Nemuna National Park and the Annual Environmental Reports of the Ministry of Environment (2021). This stage enabled a structured understanding of the legal mechanisms guiding tourism development in protected landscapes.

The second stage involved a contextual literature analysis, drawing on regional and international research on protected area tourism governance. Academic journal articles and institutional publications from UNWTO and IUCN were reviewed to situate Kosovo's governance framework within broader conservation and tourism sustainability discourse (Giampiccoli & Mtapuri, 2021; Dangi & Jamal, 2020). Additionally, empirical studies focusing on Kosovo and the Western Balkans were incorporated to highlight region-specific governance challenges, including administrative overlaps and inconsistent enforcement (Sejfijaj & Tahiri, 2025; Tahiri et al., 2025).

The third stage applied an evaluative implementation gap analysis to assess discrepancies between legal provisions and real-world tourism practices. This assessment drew on secondary sources such as scientific research findings, civil society environmental monitoring reports, and governmental audit summaries. The evaluation focused on four governance indicators:

- Institutional coordination,
- Enforcement consistency,
- Stakeholder participation, and
- Ecological protection outcomes (Tahiri, 2025; Kuqi et al., 2023).

Finally, the study adopts an interpretative synthesis approach to integrate legal and empirical insights and develop grounded recommendations for improving sustainable tourism governance in protected regions. This synthesis is guided by the principles of sustainable tourism planning outlined by UNWTO (2020) and conservation standards set by IUCN (2019).

Overall, this methodology allows for a comprehensive understanding of how environmental legislation is structured, how it is applied in practice, and where governance barriers emerge. Rather than measuring tourism growth quantitatively, the research focuses on evaluating **policy** effectiveness, institutional performance, and sustainability outcomes, providing a qualitative foundation for evidence-based decision-making.

4. RESULTS AND DISCUSSION

The findings of this study indicate that the legal framework governing environmental protection and tourism development in Kosovo's protected mountain areas provides a structured basis for sustainable management; however, significant gaps remain in its practical implementation. The analysis of legislative documents, policy reports, and scholarly literature reveals a consistent pattern: while the laws are aligned with international conservation standards, their enforcement remains uneven, which affects tourism governance, ecological conservation, and long-term sustainability outcomes (UNWTO, 2020; IUCN, 2019).

The Law on Nature Protection (No. 02/L-18) and the Law on Environmental Protection (No. 03/L-025) establish obligations related to biodiversity conservation and environmental monitoring. Likewise, the Law on National Parks (No. 04/L-087) outlines zoning systems and management competences intended to regulate tourism in protected ecosystems. However, institutional reviews and governance assessments show that practical enforcement is hindered by overlapping administrative responsibilities and unclear jurisdictional authority (Nushi & Tolaj, 2020). Central agencies, municipalities, and the National Park Directorate frequently share similar decision-making roles, resulting in fragmented regulatory oversight.

These governance gaps have direct implications for tourism development. In high-demand destinations such as Bjeshkët e Nemuna National Park, investors and tourism operators have expanded accommodation, infrastructure, and adventure facilities without consistently completing environmental assessments or obtaining necessary authorizations (Brezovska et al., 2022; Sejfijaj & Tahiri, 2025). Such cases suggest that local economic incentives may override environmental regulations. This reflects broader regional patterns in which tourism is used as a rapid economic driver, sometimes at the expense of sustainability (Stojanovski & Petrova, 2021).

Environmental monitoring capacity also appears limited. The study found insufficient staffing, weak ecological data systems, and irregular assessment of visitor pressures. Without systematic monitoring of waste, water use, wildlife disturbance, and trail erosion, it becomes difficult to determine whether tourism activities exceed ecological carrying

capacity (Giampiccoli & Mtapuri, 2021; Kuqi et al., 2023). Such impacts have already been documented in certain recreation zones, confirming that laws alone are insufficient without strong enforcement and continuous monitoring. The results also highlight the essential role of local communities. When residents are excluded from decision-making processes, mistrust and non-compliance tend to emerge. Conversely, community involvement improves environmental stewardship and cultural continuity (Dangi & Jamal, 2020). In the case of Bjeshkët e Nemuna, cultural identity expressed through traditional pastoral practices and heritage elements is central to tourism appeal (Tahiri et al., 2025; Tahiri, 2025). Therefore, cultural sustainability must be integrated into environmental governance.

Overall, the findings indicate that the gap between legal frameworks and implementation is shaped by structural and socio-economic factors. Strengthening multi-level governance is necessary to align regulatory intentions with real-world practices. Key strategies include:

- clearer jurisdictional responsibilities among institutions,
- modernized monitoring systems (geospatial mapping, visitor tracking),
- meaningful community participation, and
- consistent application of carrying capacity limits.

In summary, Kosovo possesses a solid legal foundation for sustainable tourism in protected mountain regions; however, its success depends on effective enforcement, continuous monitoring, and collaborative governance practices (Tahiri & Kovaçi, 2022; Sejfičaj & Tahiri, 2025). Strengthening these components is essential to ensure that tourism contributes to both economic development and long-term nature conservation.

5. CONCLUSIONS

This study examined the role of environmental protection legislation in guiding sustainable tourism development in Kosovo's protected mountain regions, with particular emphasis on the Bjeshkët e Nemuna National Park. The findings indicate that Kosovo has developed a structured legal framework aimed at safeguarding biodiversity, regulating spatial development, and promoting responsible tourism practices. The Law on Nature Protection, the Law on Environmental Protection, and the Law on National Parks collectively provide a comprehensive basis for conservation planning, environmental assessment, and protected area governance (Official Gazette of Kosovo, 2022). However, the existence of these laws alone is not sufficient to ensure sustainability in practice.

The research identified implementation challenges as the central barrier to effective governance. Overlapping institutional mandates, limited coordination among governmental bodies, and inadequate monitoring systems have resulted in inconsistent enforcement of environmental regulations (Nushi & Tolaj, 2020). In some cases, economic interests and short-term development incentives have outweighed conservation priorities, contributing to habitat disturbance, unregulated construction, and increased ecological pressure in tourism-intensive zones (Sejfičaj & Tahiri, 2025). These findings highlight a significant gap between legal frameworks and real-world tourism management outcomes.

Another key conclusion concerns the role of local communities. Protected mountain regions are not only environmental assets but also cultural landscapes shaped by traditional knowledge, pastoral practices, and historical land-use patterns (Tahiri, 2025). When local communities are actively engaged in tourism planning and derive socio-economic benefits from tourism activities, environmental stewardship and support for conservation policies tend to increase (Dangi & Jamal, 2020; Tahiri et al., 2025). In contrast, exclusion from decision-making processes risks weakening compliance and undermining sustainability goals.

To ensure that tourism contributes positively to both environmental protection and regional development, a multi-level governance approach is required. This includes clarifying institutional responsibilities, enhancing inter-agency coordination, investing in modern environmental monitoring tools, and incorporating carrying capacity assessments into tourism planning (UNWTO, 2020; Kuqi et al., 2023). Furthermore, capacity-building for municipal administrators, park authorities, and tourism operators is essential for strengthening implementation and promoting a culture of sustainable management (Tahiri & Kovaçi, 2022).

In conclusion, Kosovo possesses the legal and policy foundations necessary to achieve sustainable tourism in protected mountain areas. The key challenge lies in translating these frameworks into consistent, collaborative, and community-centered practice. Addressing governance gaps and reinforcing local participation will be crucial to ensuring that tourism supports long-term nature conservation and preserves the unique cultural and ecological values of these landscapes.

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