



Save the Children

PREVENTION OF CHILD EXPLOITATION IN SOUTH EAST EUROPE



REGIONAL REPORT ON CHILD BEGGING

Prevalence, Prevention and Supression of Child Begging

December 2011



Save the Children

Save the Children is the world's leading independent organisation for children.

OUR VISION is a world in which every child attains the right to survival, protection, development and participation.

OUR MISSION is to inspire breakthroughs in the way the world treats children, and to achieve immediate and lasting change in their lives.

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Research on child begging was conducted in cooperation with the members of the network of Ombudsman for Children of South-East Europe: Provincial Ombudsman of the Autonomous Province of Vojvodina, Ombudsman for Children of the Republika Srpska, Ombudsman of the Republic of Montenegro and Ombudsman of the Republic of Serbia.

Contents

FOREWORD	3
SUMMARY	4
THE RESEARCH CONTEXT	6
PROJECT	6
Project Background	6
Research Objectives	6
Subject and Assumptions of the Research	7
METHODOLOGY	8
Research Background	8
Information Sources and Research Methods	8
RESEARCH RESULTS	12
NOTION OF CHILD BEGGING	12
Definition	12
Forms	13
PREVALENCE OF CHILD BEGGING	14
Registering the Child Begging Cases	14
Characteristics of Child Begging	16
CAUSES OF CHILD BEGGING	18
Risk Factors	18
Family Factor	19
CONSEQUENCES	21
STAKEHOLDERS	22
Capacities and Expertise	22
Responsibilities and Measures	22
Cooperation Between Stakeholders	23
LEGAL FRAMEWORK	25
International Regulations	25
National Legislation	26
CONCLUSION	27
Shortcomings	27
Recommendations	28
APPENDIX	30

FOREWORD

It has been more than 20 years since the United Nations Convention on the Rights of the Child was adopted (1989). The Convention globally introduced the standard for the countries to be guided by in their decision-making and conduct of procedures which have or might have impact on children. By ratifying the Convention, the Member States undertake to establish a system based on the existence of a legal framework, policies, institutions and mechanisms which respect, protect and promote the rights of ALL children living in those states.

As stated in Article 32 (1) of the Convention: *“States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development”*.



One of the most present forms of child exploitation in the SEE Region and, at the same time, the area in which the least has been done to protect the children in an adequate manner, is begging. Children begging in almost every major city in the Region are exposed daily to life and health risks, and ultimately to the risk of becoming victims of trafficking. They are, for the most part, excluded from regular education, without having an adequate family and peer environment, taking responsibility for their own and the livelihoods of their families. The children who beg are being deprived with respect to all segments of their lives, while their proper development and welfare is permanently and in many ways compromised.

Research and special reports conducted and produced following same methodology by the members of the South East Europe Children’s Rights Ombudspersons’ Network: Provincial Ombudsman of the Autonomous Province of Vojvodina, Ombudsman for Children of the Republika Srpska, Ombudsman of the Republic of Montenegro and Ombudsman of the Republic of Serbia, in cooperation with Save the Children, clearly indicates that child begging is always, and without exception, the exploitation of children and states must make maximum efforts to protect the children and ensure their re-socialization and full reintegration into society.

The objective of the report is to present key research findings and draw public attention to the problem of child begging in the SEE region and to contribute to the affirmation and implementation of recommendations of the South East Europe Children’s Rights Ombudspersons’ Network and institutions participating in the research, with an aim to provide an adequate protection of the children who beg.

It is our hope that this report will encourage other ombudsman institutions within the SEE Region and further to initiate their own research activities on the subject applying the same methodology with an aim to effectively combat and prevent child begging.

A handwritten signature in dark ink, appearing to read 'A. Pjano', is written on a light-colored background.

Ahmed Pjano
Programme Manager / Advisor CRG



SUMMARY

Begging, as a social phenomenon, is public, visible and undisguised.

Any person living in the Region - having neither expert knowledge nor accurate information on the subject, but solely relying on their everyday experience – may rightly say that begging is widespread and present everywhere in the Region. Even children, mostly those coming from socially affected and marginalised groups, have not been spared from begging to provide for themselves, their families or others.

Most child beggars exist in major cities and have almost become one of their distinctive features. Although they can be regularly seen on city squares, traffic roads and crossroads, in front of shops and in parks, these children are largely invisible for the system and the society. Little is known about their origin, life, family and social statuses, while the underlying causes of their being involved in begging activities are usually not subject to research, nor are they being systematically dealt with.

Even though begging stands for one of the most present forms of child exploitation having fatal consequences for their development (even for the their very lives), society as a whole fails putting pressure on institutions to deal with the issue more effectively for the welfare of the children, competent authorities rarely recognize it as being a high priority for their actions, while civil society organizations addressing the issue are few.

During the first half of the year, Save the Children Norway SEE together with four members of the South East Europe Children's Rights Ombudspersons' Network: Provincial Ombudsman of the Autonomous Province of Vojvodina, Ombudsman for Children of the Republika Srpska, Ombudsman of the Republic of Montenegro and Ombudsman of the Republic of Serbia – conducted a research to collect data on prevalence and principal characteristics of the child begging phenomenon in the SEE Region. The research sets out priorities and gives recommendations to all of the stakeholders in the area of child begging, with an aim to protect numerous children subject to such exploitation.



The research findings indicate that, despite the efforts being made by a number of actors, there are many shortcomings and barriers in dealing with prevention and combating child begging.

The results of the child begging research conducted within the area of competence of the above institutions have been analyzed in this report and presented in the regional context as well in order to point out both common, but also the child begging characteristics specific for a particular area.

The Regional Report is divided in four chapters.

The first chapter presents the project “Prevention of Exploitation of Children in South

East Europe“, within which the research on child begging phenomenon was conducted during Spring/Summer 2011. The chapter also gives a description of the process of harmonizing the unified methodology used in developing the Regional Report, and presents an overview of research questions asked to competent institutions and civil society organizations, as well as to child beggars themselves and their parents. Aware of the problems faced by the institutions due to the lack of up-to-date official data and a large number of relevant stakeholders, the chapter seeks to give guidelines concerning future research support in this area with respect to selection of most efficient research methods, sources of information and data processing.

The second chapter focuses on the research results indicating that there is no single definition of the concept of child begging among the experts and competent authorities in the field, while on the other hand, local legislation fails to define child begging as a separate category not does it recognize a begging child as a victim of exploitation. Although experts from the bodies, institutions and civil society organizations point to the fact that begging is present in different forms, there is no agreement on which activities are to be subsumed under the concept of child begging.

Additionally, the major factor affecting effective and long-term strategy planning and actions aimed at preventing and suppressing child begging is doubtless the fact that none of the competent institutions keeps systematically arranged records of child begging cases. This is what prevents the prevalence of the child begging phenomenon, as well as its causes and consequences, to be reliably determined.

Still, based on the data collected during the research, it may be determined that it is mostly male children, aged 2-17 years (10-15 in most cases), who are involved in begging. Alarming is the piece of data revealing that, in average, more than one-third of children found begging are 2-10 years of age. Begging, including child begging, is increased especially during the summer months, tourist season and in major urban areas. Children spend their days begging at busy crossroads, streets and shops, at times earning around 15 EURO a day. Still, they rarely keep the money for themselves.

Experts consider that the most common risk factors associated with child begging is children’s belonging to Roma Community, their being forced to beg (mostly by their parents) and dysfunctional family issues. Representatives of organizations and institutions in Serbia having direct contacts with child beggars, based on their own experience, conclude that even 90% of child beggars are victims of exploitation and that they are forced or directed to beg by (in most cases) their families¹. On the other hand, on being asked about the main reason behind their begging, all children interviewed for the purposes of this research answered that it was the poverty in the first place that makes them beg.

Stakeholders having authority or scope of work involving child begging consider that they have neither human nor material resources to effectively address prevention and suppression of this phenomenon. Many of them even question the competence of existing staff, while all agree that cooperation between the personnel is not satisfactory.

The third chapter gives a short insight into the legal framework through an analysis of international instruments and local legislation setting out rights and responsibilities of states and their institutions associated with addressing the issue of child begging. The vast majority of experts interviewed or consulted in the research on child begging in the SEE Region agree that legal solutions have not adequately recognized the issue nor have they created the conditions to protect the children against this kind of economic exploitation.

The last chapter of the Regional Report presents major shortcomings identified during the research and gives recommendations to all relevant stakeholders aimed at better protecting children and their rights and effective protection and suppression of child begging. ■

¹ Ibid; Group interviews with experts, Belgrade, Novi Sad



THE RESEARCH CONTEXT

PROJECT

Project Background

Save the Children Norway SEE works in the area of following countries: Bosnia and Herzegovina, Bulgaria, Montenegro, Romania and Serbia and supports realization of a regional programme that includes 12 countries of South Eastern Europe region. Together with its partners, Save the Children Norway SEE works toward improving the situation for children in following areas: child rights governance, education, child protection and disaster risk reduction. In all these areas, Save the Children Norway SEE works on strengthening capacities of partner organizations through professional support in work and various seminars and educations.

Development of independent institutions that can hold governments to account for child rights has been one of strategic priorities for Save the Children Norway SEE. In that respect specific support has been given to establishment and development of several ombudsman institutions as well as to regional network of ombudsman institutions within the region of South East Europe.

The South East Europe Children's Rights Ombudspersons' Network is established with the purpose to contribute to the protection and promotion of children's rights at local, national, regional and international levels, by facilitating the exchange and dissemination of information, the collaboration and empowerment of its members, handling a cross-border children's rights violation cases, and by producing and publishing joint statements relating to children's rights.

The network is currently consisted of 14 ombudsman institutions from 12 countries i.e. Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Greece, Kosovo², Macedonia, Montenegro, Romania, Slovenia and Serbia. Four ombudsman institutions on behalf of the South East Europe Children's Rights Ombudspersons' Network (namely Provincial Ombudsman of the Autonomous Province of Vojvodina, Ombudsman for Children of the Republika Srpska, Ombudsman of the Republic of Montenegro and Ombudsman of the Republic of Serbia) initiated realization of the project with the purpose to prevent exploitation of children in South East Europe Region.

The Regional Project **"Prevention of Exploitation of Children in South East Europe"** initiated during 2010 seeks to strengthen the capacities of ombudsman institutions and expand opportunities for children to exercise their rights in accordance with the United Nations Convention on the Rights of the Child, by improving the system of child protection from all forms of abuse, neglect and violence, especially those children involved or at risk of getting involved in begging. Since begging is one of the most present forms of economic exploitation of children, the four institutions listed above

have, within the scope of the Project, conducted a **research on the presence of this phenomenon, the causes that lead to such form of child exploitation, the measures being taken by competent authorities, with respect to prevention in particular, record-keeping and the cooperation of competent institutions.**

Individual researches covering parts of the territory of Bosnia and Herzegovina, Serbia and Montenegro produced results which made the preparation of this Regional Report possible. The Report gives an overview of the child begging phenomenon within the wider region, and it may simultaneously serve as a guideline for relevant institutions or civil society organizations dealing with the issue of child exploitation for the purpose of begging. It is particularly significant that the research identified specific gaps and obstacles that every relevant organization should take into account when preparing their future strategic plans, determining their courses of actions and priorities as well as the areas where public policies need to be influenced to address child begging more effectively in terms of its prevention and suppression. As for the members of the South East Europe Children's Rights Ombudspersons' Network, the Report may serve as a guide for conducting researches on the subject of child begging, the issue all members of the Network recognised as one of the priorities in the area of child rights protection.

Research Objectives

The first stage of the "Prevention of Exploitation of Children in South East Europe" Project was focused on researching the status of a begging child. Its main objective is to give recommendations for improving the system in order to ultimately ensure effective actions of all competent and relevant institutions and organizations directed at prevention and suppression of child begging, being one of the most present forms of child exploitation in the region.

Based on analysis of collected and previously available data and information on child beggars, participating institutions determined priority issues and gave recommendations indicating necessary reforms and practical measures that relevant institutions need to take within the scopes of their competencies with an aim to combat and prevent the child begging phenomenon.

The research was aimed at determining the following:

- Causes, extent, prevalence and consequences of child begging;
- Legal status of a begging child;
- The manner in which competent authorities, institutions and civil society organizations perceive and define child begging and its causes;
- Measures being taken with respect to children who beg and efficiency of those measures;

² Kosovo under UN Security Council Resolution 1244/99



- The manner in which authorities, institutions and organizations assess their competencies with respect to children who beg;
- The extent and manner of cooperation between the competent institutions, and civil society organizations as well, in preventing and suppressing child begging.

In this context, the project “Prevention of Exploitation of Children in South East Europe” is also expected to contribute to the following:

- Improvement of legal framework to protect children from begging;
- Capacity strengthening of experts from competent authorities, institutions and organizations dealing with child begging issue;
- Improvement of mutual cooperation of competent institutions, civil society organizations and experts aimed at ensuring systematic, intersectoral and multi-disciplinary approach to child begging prevention and suppression;
- Raising the awareness level of expert and general public of forms, causes and consequences of child begging.

Subject and Assumptions of the Research

The subject of the research is child begging - a phenomenon defined in many ways, its main purpose being to secure material benefit by evoking a pity in people. The Report also specifically deals with a way the institutions and authorities which are, under applicable legislation, most competent to address the issue, as well

as civil society organizations dealing with child issues, perceive and treat the child begging phenomenon.

In determining the objectives and methods of the research, the individual institutions made the following assumptions, which turned out to be common ones for the entire region covered by the research:

- (child) begging, as a social phenomenon, is not adequately regulated by legislation, secondary legislation and strategic documents;
- The experts are not unanimous in their opinions as to what child begging is;
- Existing legal measures related to begging are not being implemented consistently and efficiently;
- Legal system failed to grant children who beg the status of a victim of exploitation, violence, abuse and neglect;
- Causes of child begging are complex and not sufficiently investigated;
- No records on child beggars are being kept, which makes determining the extent of the issue even more difficult;
- Collaboration of competent authorities, institutions and organization with respect to child begging prevention is inadequate;
- Measures being taken are neither systematic nor efficient, and there is no holistic approach to such measures.



METHODOLOGY

Research Background

Individual researches by Provincial Ombudsman of the Autonomous Province of Vojvodina, Ombudsman for Children of the Republika Srpska, Ombudsman of the Republic of Montenegro and Ombudsman of the Republic of Serbia have been conducted on the basis of previously agreed unified methodology framework and research questions.

Activities the institutions were to perform in order to gather information on child begging, as well as the working schedule were being agreed on meetings of Ombudsmen from the Region held on a regular basis. For the purposes of designing questionnaires and formulating questions for children and experts, an expert company from the region specialized in social research consulting services had been selected. The consulting company offered its proposals for selection of the research methodology, provided technical support to the ombudsman institutions in collecting and analyzing data, as well as in the process of developing the regional recommendations.

Through a participative approach of all ombudsman institutions taking part in the research, and with support provided by the consulting company, the research questions for better understanding the child begging phenomenon were formulated and sources of information for collecting data needed for providing responses to the questions identified.

The research also included an analysis of legal framework relevant to the child begging issue. During the analysis, main international instruments obliging, among other things, signatory states to provide protection of child rights and care for children victims of economic exploitation, including child begging, were identified. Main shortcomings of the relevant legal framework limiting the practice of relevant institutions were identified by comparatively analysing these international instruments and local legislation.

The research conducted provided answers to the following questions:

- The extent of the child begging phenomenon;
- Causes of child begging;
- Relationship and interaction of stakeholders having authorities, competencies or scope of action in the field of child begging;
- Implications of the child begging phenomenon; and
- Identification of risk factors leading to child begging.

Apart from research questions and sources of information, research procedures, i.e. the methods of information gathering were also previously agreed upon.

In conducting the research, the institutions were guided by a recommendation that a number of questions be, by all means, identical for all respondents in order to facilitate the process of preparing the Regional Report. The ombudsman institutions were also encouraged to remove or add certain questions which were, or were not, specific and relevant to the context of their work.

Organized as such, the research managed to determine both the phenomena, factors and characteristics that may be considered

common for the entire region, but also ones specific only to a certain area, as well as to consider them in the given context.

Both ombudsman institutions in the Region and other relevant stakeholders are facing lack of up-to-date official data and comprehensive research and are often forced to base their decisions and action only on their experience in the field and their institutional knowledge. The results of the research conducted on the basis of a unified methodology tailored specifically to the regional environment and context may serve as additional element not only in the priority-setting processes for individual countries, but also as a starting point to develop regional cooperation aimed at suppression and prevention of child begging.

Information Sources and Research Methods

The research was focused on two areas of inquiry: collection and analysis of data gathered from children who beg, their parents and representatives of competent authorities and civil society organizations, and analysis of the legal status of a child beggars. Both quantitative and qualitative approaches were applied in the process of information collection and analysis. Data gathering techniques included surveys and group and individual interviews. Information on child begging were gathered by means of **questionnaires** (composed of open and close-ended questions) referred to competent authorities and organizations, organized focus groups with experts and direct interviews with children who beg and their parents. The questionnaires were designed to match the type of all relevant social actors³.

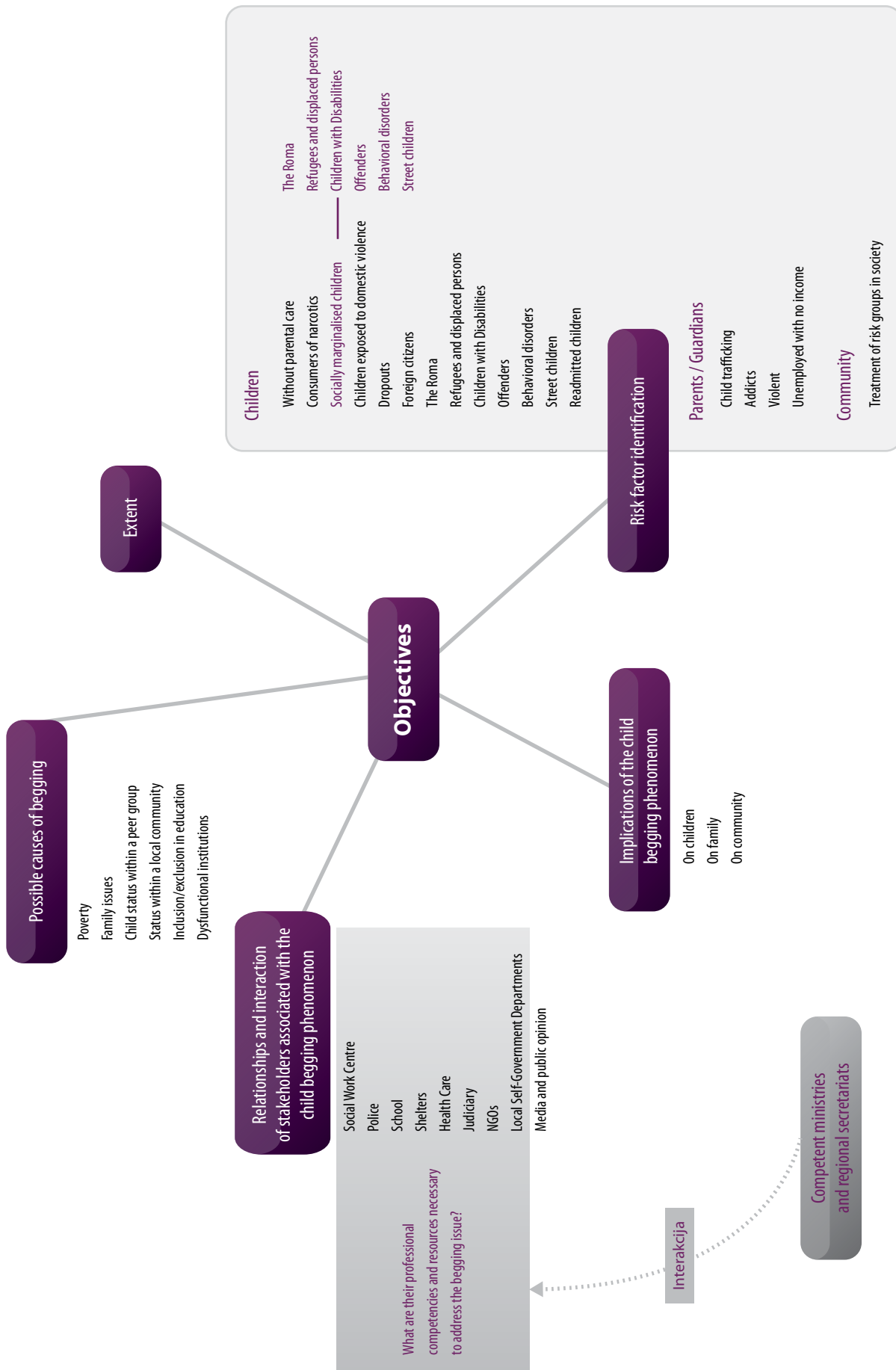
Focus groups consisting of experts from competent ministries and representatives in the field of social protection (social work centres, social protection institutions), police (police administration, police stations, and public security bureaus), judiciary (courts and prosecutors' offices), local self-government, civil society, local communities, etc. were organized during the course of the research.

Individual and group interviews with children involved in begging were conducted by experts in the field, familiar with the mentality and language of the children. Interviews with children followed previously prepared list of questions and defined guidelines, taking into account, in the first place, the best interest of a child in each individual case. The similar pattern was followed in **interviewing the parents**.

For the purpose of the research, children involved in begging, as well as their parents, were determined to be **the primary source of information**:

- Ombudsman of the Republic of Serbia conducted 3 group interviews with 13 children and 6 parents;
- Provincial Ombudsman of the Autonomous Province of Vojvodina conducted group and individual interviews with 11 children;
- Ombudsman of the Republic of Montenegro conducted individual interviews with 12 children;
- Ombudsman for Children of the Republika Srpska interviewed 5 children.

³ The research matrix is given in the Annex to this Report.



Research objectives presented in relation to research questions



Secondary sources of information in the research were social protection institutions, police, day care centres, courts and prosecutors' offices, local self-government departments, preschool and school institutions, scientific institutions, international organizations, etc.

In that respect and applying different research methods, the following institutions and experts were consulted during the research⁴:

■ **Social protection institutions:**

- **Serbia:** Belgrade City Social Work Centre (branch offices in Novi Beograd, Čukarica and Palilula), Social Work Centre in Niš, Infant, Children and Youth Protection Centre in Belgrade, Children and Youth Upbringing Institute – Shelter and Reception Station Belgrade, "Duško Radović" Child Care Home in Niš, Children and Youth Upbringing Institute in Niš;
- **Vojvodina:** Social Work Centre in Novi Sad, "Spomenak" Non-Parental Child Care Home in Pančevo, Children and Youth Home in Bela Crkva, "Kolevka" Home for Children with Disabilities in Subotica, "Dr Milan Pavlović" SOS Children's Village in Sremska Kamenica, "Miroslav Mika Antić" Children and Youth Home in Sombor;
- **Republika Srpska:** social work centres in 45 municipalities, and social protection departments in 13 municipalities;
- **Montenegro:** Social Work Centre of Pljevlja and Žabljak municipalities, Social Work Centre of Bar and Ulcinj municipalities, Social Work Centre of Nikšić, Plužine and Šavnik municipalities, Social Work Centre of Berane and Andrijevica municipalities, Social Work Centre of Budva and Kotor municipalities, Social Work Centre of Herceg Novi, Social Work Centre of Bijelo Polje, Social Work Centre of Podgorica, "Ljubović" Child and Youth Centre, Child and Family Support Centre in Bijelo Polje.

■ **Police:**

- **Serbia:** Belgrade City Police Administration, Police Administration of Niš;
- **Vojvodina:** Police Administration of Novi Sad;
- **Republika Srpska:** Five public security bureaus and 13 police stations;
- **Montenegro:** Police Administration of Pljevlja and Žabljak, Police Administration of Bar and Ulcinj, Police Administration of Nikšić, Plužine and Šavnik municipalities, Police Administration of Berane and Andrijevica municipalities, Police Administration of Herceg Novi, Police Administration of Bijelo Polje, Police Administration of Podgorica.

■ **Judiciary:**

- **Serbia:** High Court of Belgrade, Municipal Court of Niš;
- **Vojvodina:** Magistrates Court in Novi Sad and Magistrates Court in Zrenjanin;
- **Republika Srpska:** Municipal Courts in Banja Luka, Prijedor, Modriča and Bijeljina;
- **Montenegro:** All Magistrates Courts.

■ **Local Self-Government/ Regional Public**

Administration:

- **Serbia:** Social Protection Town Council Office in Niš, Social Protection Secretariat of Belgrade City Government, Child, Social and Primary Health Care Administration in Niš, Communal Police in Belgrade;
- **Vojvodina:** Provincial Secretariat for Labour, Employment and Gender Equality, Provincial Secretariat for Health Care, Social Policy and Demographics, Provincial Institute for Social Protection and Roma Inclusion Office.

■ **Health Care Institutions:**

- - **Serbia:** Palilula Health Care (Belgrade).

■ **Education Institutions:**

- **Serbia:** "Branko Pešić" Primary school in Belgrade;
- **Vojvodina:** "Milan Petrović" Primary and Secondary School from Novi Sad;
- **Republika Srpska:** "Kozarska djeca" Primary school in Gradiška, "Sutjeska" Primary school in Modriča, "Sveti Sava" Primary school in Modriča, Preschool and Kindergarten in Modriča.

■ **Civil Society Organizations:**

- **Serbia:** Children's Rights Center (Belgrade), Regional Centre for Minorities (Belgrade), Roma Child Centre (Belgrade), Children's Help Center (Niš), Association for Development of Children and Youth „Open Club“ (Niš), shelters for "street children" in Belgrade;
- **Vojvodina:** Roma Resource Centre within The Ecumenical Humanitarian Organization, EHO Street Children Day Care Centre, "Karitas" Humanitarian Organization and Vojvodina Roma Center for Democracy;
- **Republika Srpska:** Republika Srpska Roma Union in Gradiška, Roma Associations in Banja Luka, Prijedor and Bijeljina, Roma Association from Modriča, Red Cross;
- **Montenegro:** Association „Humanitarac - Nikšić“.

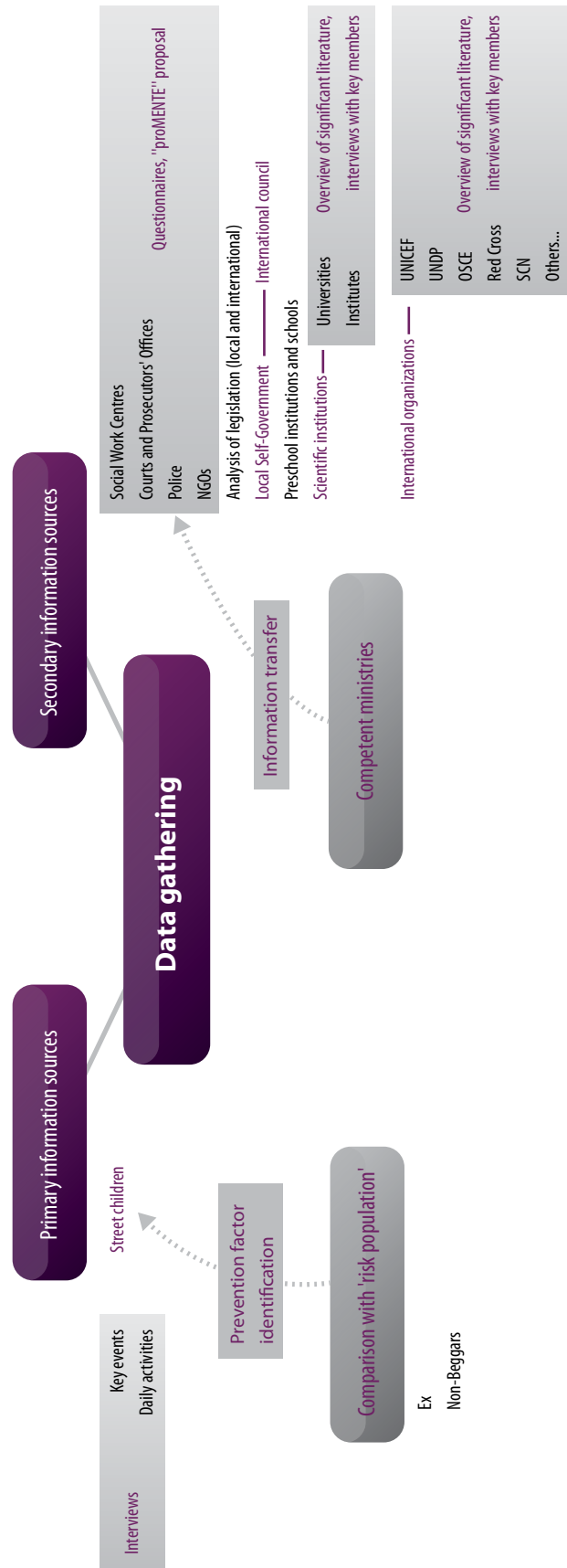
■ **Other institutions:**

- **Serbia:** Ombudsman's Office of the city of Niš, Ministry of Home Affairs (Departments of Public Order and Safety and Anti-Human Trafficking Departments), Ministry of Labour and Social Policy;
- **Republika Srpska:** Organization for Security and Co-operation in Europe (OSCE);
- **Montenegro:** National Anti-Trafficking Coordinator's Office, National Council of Roma and Egyptians.

Results of combined analysis of the Report are presented under the five topics representing the dimensions of the child begging phenomenon:

1. **Definition**
2. **Extent and prevalence of the phenomenon and record-keeping**
3. **Causes (with risk factor identification)**
4. **Implications and consequences**
5. **Competencies and authorities of relevant institutions and organizations, prevention and safety measures they implement and their mutual cooperation, compatibility and coordination.**

⁴ The institutions consulted are presented following the scope of competence of each of the four ombudsman institutions participating in the research.



Sources of information

RESEARCH RESULTS

Notion of child begging

Definition

In 2004, International Labour Organisation adopted the definition of begging. Begging is defined as „a range of activities whereby an individual asks a stranger for money on the basis of being poor or needing charitable donations for health or religious reasons. Beggars may also sell small items, such as dusters or flowers, in return for money that may have little to do with the value of the item for sale.”

Although the official and final definition, which would determine the begging phenomenon, is not in place, sociological definition of begging is the one which is most commonly used in the region. Pursuant to this definition, begging is „a social deviance and social problem, which includes gaining material benefit by asking for money from other persons, with no intention to reimburse money or provide the service in return.”⁵

The research on child begging gives special attention to examining positions and opinions of all relevant stakeholders and civil society organisations dealing with children, in order to draw conclusion on how the representatives of the government and civil society organisations perceive the very phenomenon of child begging, given that this perception has particular importance and critical impact on the activities to prevent and suppress this phenomenon.

The laws and regulations in force, regulating the area covered by the research, recognise the notion and concept of begging, however, no description of the act nor explanation of this term has been provided. The child begging nearly doesn't exist in the legislation and this phenomenon is not viewed separately from the adult begging.

The research shows that professionals in the region, dealing with child begging phenomenon, lack clear and unambiguous grasp and use of this term. Definition of this phenomenon varies considerably even between the public authorities and institutions dealing with children. The report produced by the Ombudsman of Republic of Serbia states that nearly 15% of interviewed authorities, that are delegated the powers to deal with children, lack any definition whatsoever of the child begging phenomenon, or their definition of it is rather vague; majority of respondents (67%) defines begging as **way to secure material benefit**, whether it is a child who entreats and directly seeks or secures material benefit by provoking pity (35%) or another person who

exploits a child for this purpose (32%). Majority of respondents from social work centres, law enforcement authorities and experts define begging as exploitation aimed at gaining material benefit by provoking pity or as an act of gaining material benefit by children.

The Ombudsman of Republic of Serbia draws attention to the fact that representatives of social care sector and police forces share different views when it comes child begging. Specifically, the percentage of social care workers who concluded that child begging constitutes **deriving material benefit by exploiting children** twice exceeds (42%) the percentage of law enforcement officers (21%). The representatives of police forces are far more prone to use definition of child begging as an **act by which child seeks material benefit** (33%).

The representative of a non-governmental organisation in Serbia formulated his response and defined begging as „behavioural disorder, noticeable mainly among boys who beg near public buildings or from door to door”⁶. Only a small percentage of respondents (up to 2%) stated that this phenomenon does not exist.

Experts have different views on whether it is necessary to introduce a legal definition of begging in respective regulations. Majority of experts consulted during the research conducted in Serbia expressed their opinion that notion of begging should be defined within regulations that would make begging an offence. However, some respondents deem that introducing legal definition of begging would result in additional stigmatisation of child beggars. This would also additionally reinforce former attitude towards begging which criminalised children who beg, as well as their parents, without having made an attempt to establish and address the root causes of child begging. „You can't expect parents to bear the burden of responsibility alone... I doubt that misdemeanour laws and imposing begging penalties are the only solution,” stated one of the experts consulted.⁷

⁵ Miloslav Milosavljević, „Devijacije i društvo”, Draganić, Belgrade 2003.

⁶ The Provincial Ombudsman of Autonomous Province Vojvodina, „Child Begging in Vojvodina – Res”, November 2011.

⁷ Group interview with the experts, Belgrade 2011 (The Ombudsman of Republic of Serbia „Prevention of Exploitation of Children in South East Europe – Child Begging in Republic of Serbia”, October 2011, p. 9).

Experts suggest that if begging is treated as the form of child abuse and neglect, then no legal definition of it is required: the essence of problem is that a child is exposed to maltreatment and neglect, i.e. unwanted and detrimental influences (cold weather, staying on the street, lack of education, risk of exposure to violence and risk of suffering injury, lack of supervision by an adult, etc), whereas the particular activity pursued by a child is less relevant (begging, „labour“)⁸.

Forms

With regard to specific activities that constitute begging, the experts from relevant authorities, institutions and civil society organisations indicate that begging is performed in various ways and that there is a wide range of different forms of child behaviour that may be deemed begging. However, the experts share different views as to what activity actually constitutes begging or what activity may be deemed labour.

The research reveals that nearly all respondents in law enforcement authorities, social care institutions, and NGOs deem that child begging is the situation where children ask passers-by for money. When it comes to defining begging as the case where adults and children ask for money together, or as case where children go from door to door asking for money, the situation is almost identical. However, respondents' views vary when it comes to children selling material items, washing windshields on the road junctions, helping people park their cars, singing on the street, selling flowers or other articles. This raises a question – where is the line between child begging and child labour, because even collection (and subsequent selling) of secondary raw materials are deemed as begging by some experts. As yet, no consensus has been reached on this issue by the experts (including the civil sector representatives).

The group interviews, conducted by the Ombudsman of Republic of Serbia among children, indicate that the children make difference between „labour“ and „begging“. The children perceive washing windshields, selling flowers, singing in public places as labour. However, begging is not perceived as labour and children regard it as undesirable behaviour: „It's awful to beg. It's shameful.“⁹



⁸ Ibidem

⁹ Ibid, str. 8.

Prevalence of child begging

The issue of begging is pressing year-round; however, this problem intensifies during the state and religious holidays, and tourist season. In many cases, children are forced to beg and take a certain amount of money to their parents and/or third parties. It is found that, in many cases, these children are not included in education system and do not have health insurance. Many of these children do not have their births registered in the register of births. The children who beg and live on the street are exposed to risk of becoming economically and sexually exploited, enslaved or trafficked.

These children spend their childhoods on the street, living under terrible conditions. This constitutes one of the gravest and most gross violation of children rights given that such living conditions prevent them from exercising their rights guaranteed by the United Nations Convention on the Rights of the Child – such as the social and health care rights, right to education, right to development, etc., as well as the right to be protected from all elements and persons infringing and jeopardising those rights.

The prevalence of child begging and registering the child begging cases represent mutually related aspects of the problem: the capacity to grasp and review the prevalence of this phenomenon depends on the methodology used in registering the child begging cases and the quality of the registers. Research conducted within the project „Prevention of Exploitation of Children in South East Europe“ indicates that relevant institutions do not register child begging cases as separate categories. Therefore, it is impossible to establish with certainty the prevalence of this phenomenon.

Registering the Child Begging Cases

Register

The data of relevant institutions and civil society organisations on prevalence, form and incidence of child begging, as well as appropriate and comprehensive register of the child begging cases, constitute prerequisites to obtain realistic perception of child begging issue, and thus become instrumental in implementing efficient activities to prevent and suppress this phenomenon.

The research, conducted by four ombudsman institutions, indicates that in general, **no register of child begging has been kept**. Moreover, no systematic and comprehensive register of children living, working and begging on the street has been in place. Therefore, the answers to questions regarding the magnitude of this phenomenon, or how the children are organised, where and under what conditions do they live, would have to rest solely on assumptions and rough estimations.

The child begging is not recognised as distinct category by regulations in force that govern the area covered by the research. Therefore, in majority of cases, the children who beg are not

registered. Even if child beggar is registered, the social care institutions perform this registration on different grounds, meaning that a child who begs is registered under the existing categories of children at risk: antisocial behaviour, neglected children, children at developmental risk, etc.

The lack of child begging registers, inconsistency and unreliability of child begging data available in relevant authorities, institutions and organisations, additionally complicates and hinders the possibility to undertake organised, concerted and coordinated action to combat, prevent and eradicate child begging, as one of the forms of child abuse and exploitation, which is the commitment assumed by the regional states upon their ratification of the Convention on the Rights of the Child¹⁰.

The Report on Child Begging in Montenegro also underlines the lack of accurate and proper register of child begging cases¹¹. The report singles out an example of the Social Work Centre of Budva Municipality, which responds by stating that not a single case of child begging was registered in 2010, although the streets of Budva are swarming with underage beggars, especially during the tourist season. Out of 45 social work centres and 13 social care services, operating in the municipalities of Republic Srpska, no less than 27 centres and 12 services responded that no begging cases were entered in their registers covering the period from January 1 2010 through December 31 2010.

The similar situation can be found when it comes to police authorities. High percentage of law enforcement officers in Serbia stated that no cases of begging were registered (35% of respondents); the Provincial Ombudsman of AP Vojvodina also established that the register of child begging cases kept by the police forces is rather poor. The existing register in Vojvodina police authorities includes the number of children who are repeat offenders, i.e. children who were apprehended by police on certain grounds, however it does not comprise data on behaviour and life circumstances of children, once procedure in police station is completed. This means that police forces, at very best, keep the records of the outcomes of further, subsequent proceedings that result in imposing the sentence, i.e. sanctions on children or their parents, whereas no other type of register of these children, once they are released by police, is in place¹². The organisational unit of Police Authority of Berane and Andrijevica Municipality in Montenegro is a very interesting example. This unit presented data that no child begging cases were registered in 2010, whereas Social Work Centre, operating in the same area, registered no less than 56 child begging cases.

The results of research indicate that even the civil society organisations, dealing with this issue, fail to properly register child begging cases. Majority of non-governmental organisations covered by the survey have no information as to what happens

¹⁰ The Ombudsman of Republic of Serbia „Prevention of Exploitation of Children in South East Europe – Child Begging in Republic of Serbia, October 2011, page 58

¹¹ The Human Rights and Freedoms Ombudsman of the Republic of Montenegro stresses that out of all institutions surveyed, only the Centre for Children and Youth „Ljubović“ keeps proper, updated registers of children who beg, children repeat offenders, as well as age and gender structure of all children admitted to reception unit of the centre. The register also comprises all implemented legal protection measures and measures under the family assistance.

¹² The Provincial Ombudsman of Autonomous Province of Vojvodina, „Child Begging in Vojvodina – Research“, November 2011, page 27.

to these children following completion of the processes in the institutions. The NGOs also deem that society fails to address this issue properly. Some institutions providing accommodation for beneficiaries (child beggars) – primarily shelters and reception centres – keep internal records, including the register of child beggars, if the children were accommodated in that institution. A representative of a foundling home in Vojvodina stated that these homes keep registers at the level of a given institution and that data are used to produce annual analysis of the structure of reception centre beneficiaries.

What hinders registering the child begging cases, in the first place, is the **lack of a single and clear definition of this phenomenon**, agreed in and between relevant authorities, institutions, civil society organisations and experts.

In addition to this, establishment of systematic register and data base is hindered by the fact that quite often, it is impossible to establish the identity of these children, given that they possess no personal documents. Many of these children are not registered in the register of births. So, these „legally invisible“ children are not provided health care or access to education. They are also not entitled to use social care services. Additional factor, which impedes registering the child begging cases, is the fact that a child often begs in places that are not his/her registered place of residence (assuming a child has any registered residence at all).

When asked to propose methodology for registering the child begging cases, the representatives of social work centre, who participated in the survey conducted in Vojvodina, listed procedures that, in their opinion, would improve process of registering these cases:

- **singling out category of child beggars as a distinct, separate category of beneficiaries;**

- **establishing special register and institutional networking;**
- **involving the public.**

Given the results of research, Ombudsman for Children of the Republic Srpska stressed that it is very important to apply unified rules in defining how the register and data base on child beggars are kept and maintained in all local communities. The register and data base would constitute the basis to establish such data bases on the level of entities, which would enable efficient defining of needs and priorities when it comes to protection of these children.

Data Collection on Child Begging

Given the lack of registers, social care institutions obtain the data on the number of child beggars indirectly: through the contacts with other authorities and institutions, from citizens, as well from the children who beg, their parents and relatives. In 77% cases, surveyed social care institutions in Serbia obtained data on children primarily from other sources (other institutions and citizens), whereas in 17% of cases these institutions obtained required data by using their own data sources and resources.

In 36% of cases, social care centres in Republic Srpska find out about child beggars once police report is filed against the child. In 32% of cases, the centres obtain information on child beggars during field work, whereas in 25% of cases citizens report children who beg. In 7% of cases, information is provided by the schools. On the other hand, police stations in RS claim that, in all cases, information about child beggars are obtained during the fieldwork. The employees of social work centres in AP of Vojvodina obtain



information on child beggars mainly from citizens, police authorities and other institutions. Some data are provided by field experts and schools. The representatives of civil society organisations provided similar responses.

It was established, in the area covered by the research, that **citizens** were often the source indicating the problem of child begging. Therefore, one may conclude that the public is interested to see this issue addressed. Given the lack of official registers or records, this particular data indicates how important it is to implement regular activities to inform the citizens and raise public awareness on the issue of child begging and its implications, in order to use the potential of public to combat and prevent this phenomenon.

Characteristics of Child Begging

Number, Age and Gender Structure of Child Beggars

Notwithstanding the lack of systematic and comprehensive register, child begging may be characterised as a widespread and serious social problem throughout the region. The institutions covered by this research requested information from social care institutions, police authorities and civil society organisations that deal with this issue, aiming to provide approximate assessment of the prevalence of child begging. In average, 50% of the mentioned institutions and organisations did not send requested information or were unable to provide it.

The Human Rights and Freedoms Ombudsman found that, in 2010, relevant Montenegrin authorities registered **323 children** aged 2 – 17, who were caught in the act of begging. The relevant authorities of Republic Srpska, in the same period, registered **131 child** caught in the act of begging. By using different data sources, 35 social care institutions in Serbia established that **225 children** were engaged in begging in 2010 (social work centres in Vojvodina registered **78 children** in total)¹³.

Although data collected on registered child begging cases do not suffice to make reliable assessment of number of children engaged in begging in the area covered by research, yet they provide information on the main features of child begging phenomenon in the region.

The data of social work centres in Montenegro indicate that the **males**, aged 10 – 13, are the most commonly represented amongst children caught in the act of begging. However, there was not a single case where representatives of police authorities marked a sex of a child, when providing their answers, though their responses indicated that children aged between 16 and 17 were the most commonly engaged in begging. Even the children aged between 2 and 4 were registered as those caught in act of begging.

In Serbia, 91% of police authorities and stations failed to provide answer as to how the child beggars are registered. In cases where data on total number of filed panhandling and vagrancy charges¹⁴ were available, due to the set up of police records and registers, it was impossible to analyse it in regard to age structure of the offenders. Analysis of the data on 110 children, obtained from

the social care services, indicates that boys are more engaged in begging than girls – boys account for 69% of child beggars, whereas girls account for 31%. Also, half of these children ages 10 to 14; however, 1- to 10- year-old children account for no less than 45% of children engaged in begging. The records of NGOs dealing with “street children” also provided information that 2/3 of children engaged in begging are children of male sex.

The Provincial Ombudsman of Autonomous Province of Vojvodina reached an identical conclusion: male children account for 66% of registered child beggars. In regard to the age structure of children, data provided by social work centres in Vojvodina indicate that 5 year olds account for 16% of children engaged in begging, 6- 10 year olds account for 40%, whereas children over 10 years of age account for 44%. The girls at young age are less represented amongst registered cases, leading to the conclusion that girls engage in begging sometime later.

On the other hand, research conducted in Republika Srpska reveals that, out of total number of children caught in the act of begging, the girls are more represented than boys. In 2010, the number of girls registered as child beggars was 68, accounting for 52% of total number, whereas the number of registered boys was 63, accounting for 48%. The records of relevant authorities indicate that children aged 6 – 9 (37,5%) and children aged 10 - 14 (36,5%) most commonly engage in begging (37,5%), followed by children aged 15-18 (19%). Out of the total number of registered child begging cases, 5 year olds accounted for 4%, whereas children under age of 3 accounted for 3%.

Analysis of responses indicates that majority of relevant institution and services have no data available neither on **repeat offenders**, which is to be expected because no separate records on begging cases have been kept. Only two centres in Montenegro had information available on repeat offenders: Social Work Centre in Nikšić registered 9, whereas Social Work Centre in Podgorica registered 12 repeat offenders. The police authorities provided information that repeat offenders aged 2 – 18 account for no less than 42 out of 55 registered cases in Podgorica. Ombudsman for Children of the Republic Srpska established that the number of children per months is nearly three times greater than total number of children caught in the act of begging, implying that some children were caught in the act of begging more than once.

Other Characteristics

Although begging is a phenomenon which is visible year-round, one of the common characteristics of child begging across the region is that begging is particularly noticeable during the summer months, i.e. during **tourist season**. In Republic Srpska, the highest incidence of registered cases of child begging per month in 2010 was as observed in the period between the months of May and September (especially in August) – when 60% of total number of registered cases were registered. The number of children engaging in begging at the coast of Montenegro increases severalfold during the summer months.

¹³ It is important to stress that the data on number of registered child beggars do not allow assessment that would lead to conclusion that child begging is more or less likely to be found in a certain area, comparing to other areas. The reason for this is that different methods to collect data are used and there are difficulties in registering the child begging cases.

¹⁴ 827 in 2009, 625 in 2010, 160 in period from January to April 2011. Data obtained during individual interview with the Minister of Interior of the Republic Serbia; Ombudsman of Republic of Serbia „Prevention of Exploitation of Children in South East Europe – Child Begging in Republic of Serbia“, October 2011.

While the social care institutions in Serbia conclude that majority of children engage in begging in their respective places of residence (the data from these institutions pertain to their beneficiaries who are included in their records due to the local jurisdiction of institutions according to the place of residence of a beneficiary), the police cite **migrations** for the purposes of begging.

Experts from Serbia observe that the children who engage in begging tend to gravitate towards bigger cities and regional hubs, and this corresponds to experiences, knowledge and data from other regional countries regarding the child begging issue. In addition, the data indicating that child begging intensifies during summer, lead them to conclusion that there is an organised way of moving the children to specific areas at specific times for the purposes of begging.

Responses from the social work centers and police in Montenegro cite that the majority of child begging cases involve children who do not come from the territory of Montenegro, i.e. children who arrive from Bosnia and Herzegovina, Serbia and Kosovo¹⁵ during the tourist season or the refugee children who currently reside in Montenegro. Research conducted in Serbia corroborates the cross-border migrations (particularly into Montenegro) during the tourist season for the purposes of begging.

It has already been established that in majority of child begging cases there is no information about the place of residence of a child, as the children do not have personal documents or they are not registered in the register of births.

Locations where children engage in begging include large road junctions, busy streets, main squares, market places, shopping malls. Reposes from almost all social work centers in Montenegro state that Montenegro resident children often canvas family homes, “door to door”, asking for alms. According to the centers’ responses, this form of begging is characteristic of the members of Roma, Ashkali and Egiptian (RAE) populations.

According to the data of Provincial Ombudsman of Autonomous Province of Vojvodina, younger children – or that is what some of them claim - work near the traffic lights and on the street, while the older children make money by helping people park their cars on the crowded city streets. The children interviewed in Belgrade responded they can earn up to 1000.00 dinars (EUR 10 approximately). The average **earning** of child beggars in Montenegro ranges from 2 to 15 euros.

Out of all children interviewed for the purposes of research in Montenegro, only one child keeps the entire amount of money to itself. Other children take money to others - 75% of interviewed children take money to their parents, whereas 17% take money to other persons (none of the children was willing to name them). The interviews, that covered children in Autonomous Province of Vojvodina, show that children take certain amount of money to their unemployed parents (mothers, in most cases), give it to their families or spend it to buy things their parents consume, such as cigarettes and coffee. These responses lead to a conclusion that these children are aware that by begging they contribute to their family income, meaning they deem that they do the right and useful thing for their parents and family.¹⁶

The interviewed children and relevant institutions also provided responses as to how long have the children been engaged in



begging. It was established that the situation varies depending on the location covered by the research. The data referring to Montenegro indicate that the children spend considerable time on the street and that begging is their trade: 42% of total number of children stated they have been the “street” children and beggars “for a long time”; 25% of children stated they have been engaged in begging since they were 2 or 3 years of age, which indicates that children are seasoned in begging – in average, some of them have been engaged in begging for 5 to 10 years.

Ombudsman for Children of the Republic Srpska reached quite the opposite conclusion: according to the data of social work centres in this entity of Bosnia and Herzegovina, the majority of children is engaged in begging „only for a short period of time“ (38% of cases), in 23% of cases children beg up to one month, whereas in 8% of cases engagement in begging lasts for two years or more, couple of months or days. In 15% of cases, social work centres had no information available as to time spent on the street by the children caught in the act of begging.

Responses also varied as to the how much time the child spends begging and variations depended on the location. The responses from bigger cities in Montenegro and coastal towns indicate that children spend every day on the street of these cities during the tourist season, whereas smaller cities’ streets are usually swarmed with child beggars during the market days and holidays.

¹⁵ Social Work Centers in Montenegro indicate that they do not work with the children who do not hold Montenegrin citizenship and they do not register such cases, which is indeed the reason why some of the centers – such as the centers located in Budva and Herceg Novi – have no records on the cases of begging, “Special Report on Child Begging in Montenegro”, November 2011., p. 19)

¹⁶ Provincial Ombudsman of Autonomous Province of Vojvodina, “Child Begging in Vojvodina – Research”, November 2011, page 207



CAUSES OF CHILD BEGGING

Risk Factors

In order to determine what institutions, organizations and civil society organizations think about which are the most often present risk factors that lead to the begging among children, ombudspersons who participated in the study offered options asking the respondents to circle three of the total number of provided answers. The following groups of children were given:

- Without parental care,
- Consumers of narcotics,
- Socially marginalised children,
- Children exposed to domestic violence,
- Children who have left school,
- Foreign nationals,
- Children who belong to the Roma, Ashkali and Egyptian population,
- Refugees and displaced,
- Children with disabilities,
- Children in conflict with the law,
- Children with behavioral disorders,
- Street children, and
- Children from readmission

Views of Experts

There is a significant agreement among experts from the competent institutions, police and civil society organizations on the assessment that the prevailing risk factors of child begging are: 1) **Roma (or RAE) ethnicity**, and 2) **forcing of a child to beg by an organized group**. The impact of poverty, belonging to a group of street children, lack of parental care and consumption of narcotics occupy much lower level on the risk factors scale.

Ombudsman of the Republic of Serbia notices the difference in the perception of risk factors of police officers and all other experts: according to the police, Roma ethnicity, in its impact on the development of the child begging, is far above all other factors. On the other hand, the experts from the social welfare system see force and Roma ethnicity to have almost the same impact.

Analysis of the group interviews with employees in the institutions, organizations and civil society organizations operating in the Autonomous Province of Vojvodina shows that the risk factors of child begging are the following factors of social exclusion:

- Belonging to the Roma population (with its characteristic cultural pattern),
- Poverty of the family (with combination of factors: family dysfunction and isolation, ignorance, unemployment, and disability of parents),
- Daily life of children on the street, and lack of integration of these children within the social system.

In the case of Montenegro, the centers for social work emphasize the factor of **children of refugees and displaced persons** that they claim are one of the most common categories of children who beg. So says an example of the Centre for Social Work in Berane which has the largest number of registered cases of child begging, of which in most cases it is found that the children are coming from refugees and displaced families (it is pointed out that in this area there are collective centers for displaced persons that mostly accommodate persons from Kosovo).

Experts consulted for the research in Serbia and Montenegro consider **poverty** an additional risk factor for child begging, but not the main cause. Completely different position have their counterparts from Republika Srpska whose responses indicate that in 40% of cases the cause of child begging is socio-economic status (poverty, etc.), in 24% of cases the **dysfunctionality of the family** (alcoholism, prostitution, domestic violence, etc.), in 20% of cases the children beg for material interest (begging in form of profession, trade, etc.) and in only 8% of cases it is believed that children are forced into begging.



Views of Children

*It's stupid. It's shameful. But, when you have nothing, you have to do something. A child, Niš*¹⁷

Interviews with children have shown that they do not see begging as a form of economic exploitation nor do they consider themselves the victims of this form of exploitation. For children, begging is work, the way to meet their needs and obligations, which they do out of necessity.

The views of children and experts about what are the main causes and risk factors that affect children to engage into begging differ considerably. Almost all the children interviewed for the purpose of the research on child begging in the region of southeast Europe suggest that poverty is the main reason to start begging and contribute to repeating and reinforcing this behavior.

In Montenegro, $\frac{3}{4}$ of the responses obtained by the children have suggested that the main reason for begging is the lack of money, general poverty and lack of clothes and food. 83% of the interviewed children think that there is no choice and that they have to beg. Poverty, according to the opinions of interviewed children, causes vagrancy and begging as necessity. The collected responses indicate that a certain number of children (25% of the total number of respondents) decide on begging by themselves, while parents take out 9% of children interviewed on the street. Similar responses are given by the children interviewed in Serbia who emphasize that to them begging is not a desirable activity, but *"when you have nothing, you have got to do something"*¹⁸

Children brought up another factor that – as concluded by the Ombudsman of the Republic of Serbia – may not be a cause for begging but it is very important for a decision to continue with begging. It is the fact that children acquire certain autonomy by begging and "working": they spend money earned to satisfy their needs, especially those for food, so they buy sandwiches, drinks and snacks. Some children use money to go to game rooms, for buying cigarettes, but also for buying commercially available products that can be abused as intoxicants.¹⁹

Thus, stopping to beg and "work" for children can mean not only the inability to meet their needs but also the loss of independence, they have had, to use the "earned" money or some part of it. The experts from the institutions that accommodate children witness the fact that children who beg have a hard time when they want to stop begging: *"It is very interesting that children previously engaged in begging continue to beg even after they have been accommodated within the institutions for social care (...) These are the children who have clothes, place to sleep, hygiene items, pocket money, but we have no way to wean them out of begging."*²⁰

However, the views expressed by the children interviewed suggest that begging is not their long-term choice. From the responses of children interviewed in Montenegro, it can be concluded that there is a strong desire on children's part to quit

begging and start dealing with things normal for their age, as well as a desire to find a different way of earning money. Most of them say that they feel very difficult because they are engaged in begging and even 92% of the interviewed children express willingness and desire to do something else, to participate in sports, to be employed, to continue education etc.

All the children interviewed in Novi Sad regularly come to the Inn and confirm that staying there becomes an important part of their daily lives. Based on their statements, it is concluded that they consider the possibility of coming and staying in the Inn positive. Most children come to the Inn around 9 a.m. and spend there all day playing with other children or using computers. They usually have breakfast in the Inn and when they need money for something the Inn does not provide, such as money for sweets or playroom, the children usually go to the one of the largest outdoor markets close to the city center where they beg until they collect enough money. Some of them go to school and do their homework in the Inn. They sometimes go home during the afternoon and evening hours, but more often, especially during the weekends, when bars are opened, they spend most of the night on the street, begging.²¹

Family Factor

The views of the child who begs and the attitude of the state towards the child begging – according to the expert estimates – are significant factors that encourage child begging.

The beginning of begging is often tied to the immediate environment of a child: a child learns to beg of their brothers, sisters and peers, and it is supported in begging by the family, peer and kinship groups. Parents, the research found, in the least agree that their children beg. The children statements indicate that the parents themselves suggest to "work" or beg, and there are testimonies of parental forcing and exploitation of children. Representatives of organizations and institutions in Serbia that have the direct contact with children who beg draw the conclusion, based on their experience, that as much as 90% of children who beg are victims of exploitation and begging that they are forced or sent to do (most often) by their families.²²

¹⁷ Ombudsman of the Republic of Serbia, "Preventing Exploitation of Children in Southeast Europe – Child Begging in the Republic of Serbia", October 2011., p. 9.

¹⁸ Ibid, group interview with children, Niš.

¹⁹ Provincial Ombudsman of AP Vojvodina, "Child Begging in Vojvodina – Research", November 2011, p. 20.

²⁰ Group interview with experts, Novi Sad. Ombudsman of the Republic of Serbia, "Preventing Exploitation of Children in Southeast Europe – Child Begging in the Republic of Serbia", October 2011, p. 9.

²¹ Provincial Ombudsman of the Autonomous Province of Vojvodina, "Child begging in Vojvodina – the research", November 2011, p. 19.

²² Ibid; Group interviews with experts, Belgrade, Novi Sad

Some civil society organizations dealing with the children who beg witness the development of feeling of responsibility in children for their and their families' livelihoods, which eventually becomes the main driving factor for begging and "work". According to the experts in Montenegro, the majority of children living in the street come from the socially vulnerable families where parents do not work and do not have permanent jobs or they are themselves engaged in begging. These are largely the families who do not have regulated residence, citizenship and legal status.

On the other hand, they determined that the children who beg around houses alone or accompanied by an adult, often come from families that do not suffer from the extreme poverty but they are materially secured to some extent, the household members are employed, and the children attend the school. This information have suggested the conclusion that the begging in these families is a part of tradition or even a profession that is done in order to obtain additional income.

Given that the highest percentage of children living on the street belong to the population of Roma, Ashkali and Egyptians, centers for social work in Montenegro, in addition to poverty, stress the factor of their cultural heritage, habits and behavior by which begging is considered an aspect of trade necessary for existence of their families.

The biggest problem that centers for social work face in Republika Srpska is precisely the lack of cooperation of parents. According to statements given by certain Roma associations, the only way to protect children from begging is an adequate reaction towards parents: the local community can provide housing, children may be involved in the education system, but if the mother is still waiting in the park for children to do their part of job on the intersections, then the system must act with the appropriate measures towards the parents to protect the children. Similar view was presented by representatives of centers for social work in Montenegro which stated that working with parents is very difficult because they usually do not realize the seriousness of the situation, and often allow children or even lead them to begging, not understanding that they are exploiting them that way.

Parents who do not allow their children to spend time in the Inn as it distracts them from begging and "work" on the street are coming to the Inn for Children in Novi Sad. On the other hand, there have been positive examples of parents who have accepted the advice of the persons employed in the inn, so they have enrolled their children to school. There is a regular cooperation with these parents and thus the progress of their children is monitored.



There are no precise data on how many children who beg are included in the education system or there are reasonable assumptions that children who live on the street and beg in most cases quickly leave the school. Only two out of the eleven children who participated in the research in Vojvodina occasionally attend school, which indicates a very low level of inclusion of these children into the regular education system.

According to the view of the nongovernmental organizations from Novi Sad, education is most closely linked to poverty. If one takes into account that the largest percentage of children on the street are coming from the Roma background and that the most uneducated population is among the Roma population they consider that it is clear where to start solving the problem. However, they add that in the family where neither parent has attended the school one cannot expect that the child wants to go to school, which again emphasizes the importance of working with parents on the prevention and suppression of child begging. The views of children presented in the interviews conducted in Montenegro indicate that the majority does not have enough awareness about the necessity and importance of education.

Experts in Serbia point to the other side of the problem: the state has *"neglected the problem on the level of prevention and protection, the systems are disconnected, the institutions do not have enough capacities,"* and the system of social welfare is *"inflexible, bureaucratically rigid and has a hostile attitude towards users"*²³. Children who beg and their families are faced with the impossibility of obtaining documents, and registering children in the Register of Birth, and consequently the impossibility of exercising the right to health and social care.

²³ Ibid; Group interviews with experts, Belgrade..

CONSEQUENCES

The phenomenon of child begging has implications and consequences for the child but also the society as a whole.

The most visible consequence of child begging is related to **vulnerability of their life and health** due to permanent residence in the street and exposure to violence. In most cases children who beg are not properly dressed, often barefoot and half-naked, and completely unprotected from the extreme cold or high temperature. They are constantly threatened by injuries in road traffic, but also by violence or abduction.

In conversations with experts, the Ombudsman of the Republic of Serbia reports data on **stamping and maiming of children** for organized begging. Police officers testify that there are cases when adults deliberately maim and stigmatize children in order to provoke greater pity by passers-by and thus maximize profits. Child begging is associated with child **prostitution, drug abuse and involvement of children in the commission of criminal acts** such as robbery.

A particular risk to children who beg is to become **victims of trafficking**. Experts point to the mobility of the children who beg, especially towards the tourist centers. In the case of the Republic

of Serbia, the experts mentioned Zlatibor and Montenegro as well as the increased number of children who beg in Belgrade during the attractive and visited events. As the Law on State Border Protection of Serbia does not contain specific provisions on how a child crosses the border, there is no impediment to child who begs with a valid travel document, alone or accompanied by the person who is not its parent, guardian, i.e. legal representative, to cross the border and leave/enter the territory of the Republic of Serbia.

Children who beg remain deprived of the period of childhood, because from an early age they are given a significant share of responsibilities for their own and existence of its loved ones. During the childhood, the children who beg are adapted to conditions and requirements of the street, and thus become a very easy prey for those who see the earnings potential in their engagement. Living and working on the street, begging, weather under pressure or out of “need” is a consequence of the violation of their right to protection from any kind of abuse, neglect and negligent treatment.



STAKEHOLDERS

This research covers a number of stakeholders relevant for solving the problem of child begging. The institutions within the social welfare sector have been consulted as well as government, police, judicial institutions, health care and education institutions and experts and civil society organization representatives. Special attention is given to the children who beg and their parents whose opinion is crucial to understand, combat and prevent child begging.

One of the special problems in dealing with the phenomenon of child begging is overloaded capacities, the lack of expertise and cooperation among all institutions and organizations dealing with this issue which is the primary obstacle to providing systematic, cross-sectoral and multidisciplinary approach to combating and preventing this phenomenon.

Capacities and Expertise

The research on the phenomenon of child begging confirmed the earlier observations that in the area covered by the research there are no capacities, and according to the statements of the stakeholders themselves, there is often no sufficient level of expertise for effective action to prevent and combat child begging. Most of the bodies, institutions and organizations, which have participated in the research in Serbia believe that they do not have sufficient capacities to work with children who beg. Representatives of the government indicate the need to increase the number of employees (especially in the system of social welfare), to improve equipment and to conduct additional trainings. Most institutions also consider that their experts do not have the appropriate knowledge and skills to work with children who beg (as much as 70% of the representatives of the center for social work in Vojvodina stated that they do not consider themselves sufficiently trained to work on this issue). Similarly, 60% of the civil society organizations believe that there is no sufficient number of employees, while 40% stated that their experts do not have the appropriate knowledge and skills for this type of work.

Experts in Vojvodina suggest that the lack of personnel and equipment is evident, and almost all responding institutions emphasize the lack of material resources to deal with this problem. This is especially the case in smaller communities.

The similar issues of the lack of equipment and insufficient number of employees is indicated by the centers for social work in Montenegro, but they also point out that the current personnel has a high professional capacities to work on prevention and solving the problem of juveniles who beg. The representatives of the police in this country say that they generally have sufficient personnel capacities, and in many cases, they have sufficient material resources.

Responsibilities and measures

In relation to the phenomenon of child begging the **social welfare sector institutions** recognize the following as their responsibilities:

- Consultative work with children,
- Consultative work with parents (including a warning of sanctions),
- Support to children and care (including home visits),
- Filing of criminal and misdemeanor charges,
- Review and/or deprivation of parents of their parental rights,
- Material and legal assistance to families.

There are a number of activities that these institutions can take on within their jurisdiction concerning the child begging. Most often they decide on providing for children, consulting with children and parents and filing charges. Providing material support is rarely offered service that social welfare centers provide to the child who begs.

In addition to the above, the centers for social work in Republika Srpska in a small number of cases contact police or schools attended by children who beg, notify the competent centers for social work in other municipalities if the child is not from the municipality in which the child was caught to beg, trying to find parents who do not reside in the territory of the municipality in which the center has competences and inform nongovernmental organizations and various association. It has been found that the centers for social work in almost 50% of cases perform the consultative sessions with children and parents in cases of repeat offenders, and almost a third of them speak to the families with the aim to prevent the begging.

The research has found that the role of the centers for social work in Montenegro in addressing the problem of begging is mostly limited to counseling and providing material support to families and children. All centers have pleaded that except the advisory work, they do not undertake other activities and measures that are allowed by law. None of the center has ever initiated proceedings to review parenting abilities and seizure or restriction of parental rights nor has it filed the charges for misdemeanor against the persons who induce children to beg. When asked what they do in terms of begging prevention and protection of children who beg, the centers have reported that children come mainly after the police registers them, and it rarely happens that the charges are filed by the judicial authorities or schools which the centers consider an aggravating circumstance in taking the preventive measures in this regard since in these cases it is usually too late for prevention. They consider that schools, police and other institutions should promptly inform the centers for social work of all changes and problems in the child's behavior, and especially of the frequent absences from school, and that special attention should be given to children from families who have been already registered as a socially vulnerable or families at risk.

According to the existing regulations in force, centers for social work in Vojvodina do not have the authority to file (misdemeanor and criminal) charges. However, since the centers work closely with the police in cases that concern children on the street or in cases of child begging, it is concluded that they sometimes decide on proposing to the police conducting misdemeanor proceedings or criminal charges.

As regards the **police**, two competences are distinguished:

- Filing the charges to the prosecution, and
- Cooperation with and reporting to the institutions of the sector for social welfare.

Measures taken by the police, the research in Serbia suggests, are moving in a narrow circle consisting of informing the centers for social work, identifying the identity of a child and calling the parents. Consistent attitude of the police in respect to the two responsibilities reflects the application of legal provisions: if the child who begs is younger than 14, the police will inform the center for social work; if the child is older – the charges may be filed to the competent authority against the child; however, in both cases it is possible to file charges against the parents. According to the Ministry of Internal Affairs of Republika Srpska, the first measure to be undertaken is the notification of the center for social work and filing the charges to initiate misdemeanor proceedings.

Civil society organizations see their role primarily in educating parents and children, accommodating and empowering street children, as well as implementing different support programs, independently and in cooperation with relevant institutions, especially in an effort to include the children into the regular education system.

Competent institutions, but also the nongovernmental organizations, generally do not have adequate method to **evaluate the measures undertaken** in cases of child begging or to conduct **monitoring** of their effects. According to the findings of the Ombudsman of the Republic of Serbia, after the measures have been undertaken towards the children who beg, the police and the institutions of the social welfare in most cases do not have any feedback on the children (it has been noted that the police is more likely to receive such information than the institution of social welfare). In the cases where there is a feedback, police, social welfare institutions and civil society organizations have learned that the largest number of children returns to streets.

Cooperation Between Stakeholders

One of the important prerequisites of effective action in the preventing and combating child begging is the existence of cooperation between relevant institutions, civil society organizations and experts in order to ensure a systematic, cross-sectoral and multidisciplinary approach to this phenomenon.

The conducted research has found that there is no intensive form of interagency cooperation or coordination to address the phenomenon of child begging in the region. Moreover, the Provincial Ombudsman of the AP of Vojvodina concludes that the percentage of the questionnaire without an answer to this question gives the impression that the interagency cooperation is often reduced to minimum and in the framework of existing regulations.

Comparative analysis of the responses of the police representatives, the social welfare sector and the civil society has determined a few facts that are common to the entire area covered by the research:

- **Existence of cooperation between the police and social welfare at the level of information exchange;**
- **Lack of cooperation between schools and institutions of social welfare;**
- **Low level of cooperation with the civil sector organizations;**
- **Low level of cooperation between the institutions and bodies and ministries and institutions of local self-government.**

The collected data indicate that the most intensive cooperation exists between the state institutions, especially the institutions of social welfare and police, and that communication between the government and nongovernment sectors is insufficient.

In Montenegro, as much as 88% of police officers interviewed say that the cooperation with center for social work is good. Interviewed police officers in Serbia and Republika Srpska indicate good cooperation with the centers for social work in almost identical percentage (85% Serbia, 75% RS). There is a high level of cooperation between police and prosecution above all in the form of reports submission and information collected. The cooperation with courts is achieved through sharing information with courts, filing charges and submitting reports to the courts. Police largely works with health care institutions and schools where cooperation includes training, lectures and joint monitoring of children. The police cooperates in a small extent with the civil sector through information exchange, joint assistance to the child, and prevention programs. The exception to this is Montenegro where police says that a good cooperation with nongovernmental sector is taking place with whom the different actions have been undertaken with the aim of combating the problem of juveniles' begging.

Institutions of social welfare in Serbia achieve the highest level of cooperation with police: almost 60% of the institutions indicate that they cooperate with this body. The cooperation includes information, joint interventions of institutions and police, and the implementation of the charges. Then the cooperation with schools follows (46%) through information exchange, assistance to children in education, and monitoring the impact of the measures. 31% of institutions of social welfare cooperate with health institutions mainly through the referral to medical examinations, and to much smaller extent through information and cooperation. The scope of cooperation with prosecutors and courts is almost identical in percentage (21% and 20%) and form – reporting, interventions, and submitting of findings and expert opinions. The research in Serbia also shows that institutions of social welfare cooperate with the nongovernmental sector in a small percentage. What is noticeable is the low level of reporting and information in cooperation between social welfare institutions and prosecutors, courts and health institutions which indicates poor flow of information in any direction to or from the institution for social welfare.

Centers for social work in Republika Srpska confirm that in 94% of cases they have very good cooperation with institutions, in the first place with the police, and then with schools. In addition, they find the cooperation with the health centers, Roma associations and other nongovernmental organizations dealing with this issue significant. In Montenegro, however, it has been

found that there is no adequate cooperation between educational institutions and centers for social work: educational institutions rarely notify the centers for social work of the frequent absences of children from school, even when it is obvious that particular child is at risk, although the centers must monitor the parental rights and prevent neglect and abuse of children.

A noteworthy fact is from Serbia according to which the cooperation between the institutions of social welfare and police with the bodies of the Autonomous Province Vojvodina (none of the institutions of social welfare reports that there is a cooperation with the Provincial Secretariat for Social Policy and Demography) and ministries is the least likely to take place.

The majority of the interviewed civil society organizations states that they cooperate with the institutions of social welfare; slightly lower level of cooperation takes place in schools, with police and health institutions, and a low level of cooperation with the judiciary. When it comes to measures that the authorities undertake to prevent, as well as to combat and solve the problem of child begging, the Ombudsman of the Republic of Montenegro is of the opinion that there is no coordinated and constant cooperation of all the actors and that bodies, each acting within its jurisdiction, do not contribute to the permanent and systematic solution of the problem of child begging, but only “remove” the children from the street for a while.

Most of the members of the focus groups from institutions, organizations and nongovernmental organizations has pointed

out that one of the causes of child begging is the fact that institutions, both educational and social welfare, as well as other actors do not deal with the problem of begging systematically.²⁴ This manifests itself in the form of avoidance of responsibilities (e.g. in schools), lack of cooperation among stakeholders, inadequate and insufficient capacities of institutions and organizations that should be dealing with this problem. “The complexity of the problem of child begging, the need of systematic approach to its resolution and prevention, as well as the inadequacy of existing mechanisms through which this problem is approached has been observed within the institutions and organizations, as well as on the level of their mutual – prescribed, perceived and real – cooperation on this occasion” – says the Provincial Ombudsman of the Autonomous Province of Vojvodina.

Problems in the implementation of cross-sectoral cooperation are more pronounced in the larger cities while the situation on this issue is slightly better in smaller towns. However, the biggest challenge at the local level is connecting or networking of all the actors that deal with children who are at risk of begging or living on the street.

With the claim that even the legal framework is partly a barrier to interinstitutional cooperation it has been concluded that for the implementation of the cross-sectoral cooperation, apart from good will and clear organization of activities, it is necessary to provide adequate resources, especially the financial and human.



Godišnja konferencija Mreže ombudsmana za djecu jugoistočne Evrope (CRONSEE) “Zaštita djece od ekonomske eksploatacije”, Obrid 6-7.9.2011. godine

²⁴ Provincial Ombudsman of the Autonomous Province of Vojvodina, “Child Begging in Vojvodina – the Research”, November 2011, p. 20.

LEGAL FRAMEWORK

International Regulations

When it comes to children's rights, the **Convention on the Rights of the Child** constitutes the most important international instrument. Under the Convention, signatory states are obliged to provide protection and care to every child, necessary for child well-being, and to undertake, to this end, all required legal and administrative measures, taking into account the rights and responsibilities of the child's parents, legal guardians or any other individuals who are legally responsible for the child. The regional states committed to implement the Convention, and protect and secure the rights of the child, upon their ratification of the Convention on the Rights of the Child and its two optional protocols.

The Convention on the Rights of the Child rests on a foundation of four core principles: the right to life, survival and development; non-discrimination; participation and devotion to the best interests of the child. States Parties to the UN Convention on the Rights of the Child must take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.²⁵

Article 32, paragraph 1, of the Convention reads: *„States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.“* The article herein obliges states parties to provide for a minimum age or minimum ages for admission to employment, appropriate regulation of the hours and conditions of employment, and appropriate penalties or other sanctions to ensure the effective enforcement of the present article. The Convention on the Rights of the Child (Article 39) obliges states parties to take all appropriate measures to promote **physical and psychological recovery and social reintegration of a child** victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment. The article also reads: *“Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.”*

There is a number of other international instruments that may apply to the phenomenon of child begging and exploitation. **ILO Convention No. 182 on the Worst Forms of Child Labour** provides broad definition of child labour and its worst forms, including all forms of slavery or practice similar to slavery such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children. It obliges the states parties to design and implement programmes of action to eliminate as a priority the worst forms of child labour. The Convention particularly stresses that state needs to prevent engagement of children in the worst forms of child labour and to provide the necessary and

appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration. By providing detailed instructions for the states as to what they should do to prevent and eliminate the worst forms of child labour, this international document particularly stresses the importance of education, elimination of poverty and cooperation between relevant authorities at national and international levels.

In 2004, International Labour Organisation adopted the **definition of begging**. Begging is defined as *„a range of activities whereby an individual asks a stranger for money on the basis of being poor or needing charitable donations for health or religious reasons. Beggars may also sell small items, such as dusters or flowers, in return for money that may have little to do with the value of the item for sale.“*

All children who are forced to beg are subjected to forced labour, which is defined according to the **International Labour Organization's (ILO) Convention No. 29 on Forced Labour** (1930) as: *„work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.“*

Forced child begging may include trafficking for the purposes of begging. **The UN Protocol to Prevent, Suppress and Punish Trafficking of Persons, especially Women and Children (2000)** defines trafficking in persons as *„recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.“* This definition indicates that the consent of a victim of trafficking in persons to the intended exploitation set forth in above subparagraph shall be irrelevant where any of the means set forth in the given subparagraph have been used.

Other numerous international instruments relevant for suppression or prevention of child begging include: The Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, Convention for the Protection of Human Rights and Fundamental Freedoms, International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights, The Convention for the Protection of Human Rights and Fundamental Freedoms or European Convention on Human Rights (ECHR) including its protocols, Convention on the Rights of Persons with Disabilities, United Nations Convention Against Transnational Organised Crime and its protocols, Council of Europe Convention on Action against Trafficking in Human Beings, Constitution of the International Organization for Migration, European Social Charter, and other documents. By ensuring rights, guaranteed by above international agreements and documents, and by acting in compliance with the obligations set forth in these instruments, the states remove a series of factors that considerably encourage the incidence of begging.

Mutual bilateral agreements entered into by the countries of South East Europe region are particularly relevant for these

²⁵ The Convention on the Rights of the Child, Article 19.

countries, especially the documents pertaining to cooperation and implementation of joint activities to prevent and clear up the crimes, in particular, organised crime acts, illegal migrations, trafficking in human beings, as well as the documents pertaining to cooperation in social protection and protection of human rights and freedoms. These agreements can contribute considerably to preventing and combating child exploitation and child begging.

All forms of begging violate the rights of children under the Convention on the Rights of the Child (1989). Begging directly affects the child's right to protection from economic exploitation, and from performing any work that is likely to be hazardous, or to interfere with the child's education, or to be harmful to the child's development, as well as child's right to protection from any form of exploitation.

National Regulations

Analysis of national/local primary and secondary legislation identifies the key obstacle in suppressing and preventing child begging, which is that children caught in the act of begging are not recognised as exploitation victims. Child who begs can be perceived as offender (Public Order Act); victim of crime (such as trafficking in human beings), abuse and neglect; and as person in social need.

The notion of child begging does not exist in the legislation of Serbia, Montenegro and Republic Srpska: the regulations do not provide explanation of the term „begging“, nor is the phenomenon of child begging distinguished from an adult begging.²⁶

The regulations treat begging as the way of committing an offence (municipal offence, public order offence, etc.); as purpose of committing a criminal offence (trafficking in human beings, neglect and abuse of a minor); and as way in which prohibited act is committed against another party (abuse of parental rights).

In contrast to general notion of begging, the child begging, when it comes to Serbia, may be recognised in the case of criminal offence of neglecting and abusing a minor person, where child begging is referred to as one of the possible purposes of coercion by an adult. As set forth by the Criminal Code of Republika Srpska, the punishment of imprisonment for a term not exceeding three years shall be pronounced against a parent, adoptive parent, guardian or any other person who abuses or forces a minor to beg, among other things.

The great majority of experts, interviewed or consulted in the research on child begging in South East Europe region, agree that the legislation failed to recognise this issue and respond appropriately by creating conditions to protect children from this form of economic exploitation. In Republic Srpska, for example, the reports filed against irresponsible parents are filed on the grounds of begging offence, however, no child abuse or negligence reports are filed against such parents. So far, filing reports against parents has yielded no results. Very often, during misdemeanour prosecution, offenders refer to the poor material situation in the family, aiming to vindicate themselves for the rare offences they commit and argue that any imposed penalty in the given prosecution would additionally threaten the source of income of the family.

In regard to whether the legal measures are efficient and whether they provide them with appropriate procedures pertaining to child begging, the representatives of social work centres in Montenegro stressed that existing legislation constitutes a major obstacle for the centres to operate efficiently and address this issue. They also deem that existing legal measures have proven ineffective. In their opinion, even consistent implementation of the law would fail to suppress child begging phenomenon. The representatives of the centres deem that imposition of penalties and punishments stipulated by the law would only aggravate the problem, given that it is often impossible to collect considerable fines due to the social status of the families. The respondents in Serbia deem that **the measures imposed by the courts are not only ineffective, but also absurd: pecuniary fines are imposed upon the parents of children who beg, and the money to pay the fines is secured (amongst other things) by child begging.**

The social work centres indicated another problem - penalties imposed upon parents who induce their children to beg include serving the sentence or stripping the parent of his/her parental rights. However, the foster care system is underdeveloped, whereas scarce children homes are ill-prepared to work with this category of children.

Majority of law enforcement officers who participated in the research share a view that existing legal measures constitute no effective means to address the issue of child begging. In addition, they noted that stipulated legal measures of imposing penalties are rarely executed.

In case of children over 14 years old, police authorities in Serbia – although authorised to do so – rarely file a report against the child, whereas more commonly they file reports or criminal charges against the parents and, as a rule, against persons suspected to organise begging, which is subject to provisions of the regulations on trafficking in human beings. In 2010, in Montenegro, 15 proceedings were instituted before the courts against persons who induced children to beg. However, the prosecution office failed to institute a single criminal prosecution on the grounds of child begging or minor trafficking. The research established that, in 2010, only four reports were filed against the parents/guardians of children caught in the act of begging or other persons inducing children in entire country. The responses obtained from law enforcement officers indicate that inadequate legal measures account for such a low percentage of reports, given that begging as an act itself is not sanctioned. In addition, police officers stated that aggravating circumstances include obstacles in establishing the child's identity, poor material situation of the families, and high amounts of pecuniary fines, which make collection nearly impossible. In their opinion, being prevented to respond when it comes to children who are non-residents is another aggravating circumstance.

A similar situation can be found in Republic Srpska, where only one county court, out of four courts covered by research, passed two sentences in misdemeanour prosecutions instituted against minors who were caught in the act of begging. The reports filed against negligent parents are filed on the grounds of begging offence; unfortunately no child violence, abuse or negligence reports are filed against such parents.

²⁶ The regulations of Republic of Serbia refer to the term „vagrancy“, however, fail to provide definition of the term. The regulations of Republic of Serbia treat vagrancy and begging as two forms of socially undesirable behaviour (either as actionable behaviour, or as behaviour of person in social need). These two terms are often put in relation in the texts of the laws and regulation (often referred to as „begging and vagrancy“), a syntagm which defines it as actions requiring uniform response of the state and society (either repressive or protective). The Ombudsman of Republic of Serbia „Prevention of Exploitation of Children in South East Europe – Child Begging in Republic of Serbia“, October 2011.

CONCLUSION

The research conducted in the areas under the jurisdiction of the Provincial Ombudsman of the Autonomous Province of Vojvodina, Ombudsman for Children of the Republika Srpska, Ombudsman of the Republic of Montenegro and Ombudsman of the Republic of Serbia, established some of the basic characteristics of child begging and its cause and effects. Additionally, it has indicated main actors in this area and provided description of their responsibilities and measures to be taken with respect to child begging as well as services provided to child beggars.

In conducting this research, these institutions encountered obstacles which together with the results obtained were used as indicators of specific oversights, shortcomings and problems related to activities aimed at suppression and prevention of child begging. These findings have been used when determining the main recommendations for all stakeholders in order to efficiently prevent and suppress child exploitation through work, which includes child begging.

Shortcomings

The most significant disadvantage identified in this research is **an absence of complete and adequate legal framework** to suppress and prevent child begging in all covered areas. It has shown that domestic regulations often even represent an obstacle to efforts to solve this problem. Regulations which treat begging as a misdemeanor do not provide legal meaning and definition of this term, and hence the application of law in cases of begging may vary considerably among institutions, not on the basis of law but on the individual interpretation of decision makers. The existing legal norms are generally not enforced, and even when it happens, their application does not achieve the desired effect i.e. it does not help with the suppression of child begging.

More apparent is the **lack of knowledge and understanding with respect to child begging**. Among the experts who deal with children and the relevant government institutions and civil society organizations, there is no consensus in connection with the meaning of the concept of begging, particularly about what constitutes child begging.

It was noted that, in general, **there was no systematic and consistent record** of children involved in begging. The authorities maintaining direct contact with child beggars keep records of them on different bases, so what happens is that these children are recorded as offenders or children with behavioral disorders or juvenile delinquents. In addition to this, there is no data on the gender ratio, repeat offenders, measures imposed or different forms of child begging, making it difficult to analyze the distribution and characteristics of this phenomenon based on reliable data.

This research reveals **insufficient understanding of the causes** of child begging and highlights the existence of prejudice and the need to inform the experts that it is the Roma children who are at greatest risk of becoming beggars, as the most marginalised group due to extreme poverty, ghettoization and exclusion from society, unemployment and lower parental education levels, living and growing up in unsafe and poor living conditions for child development without proper nutrition, hygiene, health care, lack of preschool education and adequate stimulation at an early age.²⁷ Experts who participated in the research warn about the **exclusion of children, their opinions and contribution to**

the understanding, suppression and prevention of child begging. The research shows that there are significant differences in responses given by the representatives of relevant institutions and interviewed children regarding questions about causes and risk factors. Most of experts refer to Roma origin, while almost all children say that poverty is the underlying cause of child begging. This fact emphasizes the need to involve children and take into account their opinions and beliefs during the planning of future activities aimed at preventing and suppressing child begging.

The existing regulations, practices and measures of competent institutions allow for the existence of a large number of **children who are “invisible” to legal and state authorities**. For example, the Ombudsman of the Republic of Serbia considers that the existing legislative framework and the relevant bodies and institutions focus more on services and measures and less on the children, and this applies to children who are registered with one of the state systems. In this way, whole groups of children who are victims of social exclusion, neglect, maltreatment, abuse and exploitation are lost in the national agenda. Ombudsman of the Republic of Montenegro warns that the social welfare centers usually deal with the locals only, while the existing documentation indicates that the largest number of recorded cases of child begging refers to children who are not citizens of Montenegro. These children, as well as numerous child beggars who are not recorded in the registry of births **have no possibility to exercise their rights in the legal, social, health, education and security terms**.

The research has identified the **lack of system for monitoring of children** after they leave reception centers, shelters and other similar institutions. In addition to this, it demonstrates the **lack of mechanisms for the reintegration and rehabilitation** of children involved in begging, which is one of the obligations of all State Parties to the Convention on the Rights of the Child.

With regard to the relevant institutions and civil society organizations, it has been found that they have **insufficient human and material capacities** to effectively deal with the problem of child begging. Majority of the interviewed representatives of these sectors agree that they also have to deal with the lack of jurisdiction, while others do not even recognize

²⁷ Ombudsman of the Republic of Serbia, “Prevention of Exploitation of Children in South East Europe – Child Begging in the Republic of Serbia”, October 2011.

their role in the prevention of child begging and understand their responsibilities mostly in terms of protective activities. Thus, the measures taken by the authorities and institutions function as a reaction to child begging and they do not focus on the causes of begging. Preventive measures are taken to a small extent, while the social welfare institutions rarely undertake field work, such as visits to families and schools.

What is noticeable is the **lack of coordinated and continuous interagency and intersectoral cooperation** in order to suppress and prevent child begging. Information flow between the stakeholders is rather poor and social welfare institutions and law enforcement agencies almost never cooperate with relevant ministries and institutions of local self-government, while the level of cooperation with civil society organizations is also unsatisfactory.

Recommendations

All members of the Network of Ombudsmen for Children of Southeast Europe have recognized the phenomenon of child begging and other forms of economic exploitation of children as one of the most pressing problems in the field of child rights. This was the topic of the conference which took place in Ohrid, Macedonia in October 2011, which saw the adoption of regional recommendations for effective measures aimed at preventing and suppressing child exploitation through work, which includes child begging.

These recommendations deal with the problems, shortcomings and inconsistencies identified in the research on prevention and suppression of child begging in the region of Southeast Europe:

1. Identify the causes of exploitation and abuse of street children through analysis and research which will examine the general situation, but also individual cases.
2. Prioritize preventive activities through family, social and economic measures and activities of the competent authorities in order to eradicate the basis for the exploitation and abuse of children
3. Provide equal access and create equal conditions and prerequisites for the normal development of each child by including children in all spheres of life (education, health care, social and professional support) and by overcoming all the prejudices and eliminating all forms of discrimination.
4. Create legal and real preconditions for a multidisciplinary approach by all stakeholders in general and individual approach to each child and their families.
5. Create conditions for early detection of risks that lead to child abuse through the monitoring of parental rights, timely inclusion of all children in the preschool education and enrolment in educational institutions through appropriate measures which would be promptly implemented by the educational institutions and local communities.
6. Provide education for all children and parents on all aspects of their rights and obligations, and provide

Child begging is always and without exception the exploitation of children, their abuse and neglect. Exposed to threats to their life and health on daily basis, being at risk of becoming victims of trafficking, excluded from mainstream education, adequate family environment and peer groups, with adult level responsibility for their and their families' livelihood, deprived of most of the activities that accompany a healthy childhood and growing up period, children who beg suffer in all aspects of their lives and their proper development and welfare are compromised permanently and on many levels.

The laws applied in the area covered by this research are not harmonized with the ratified international instruments which obligate States Parties to provide legal and administrative measures to protect children from all forms of exploitation and violence.

- material support for children and their families depending on their needs and requirements.
7. Provide continuing education and training for professionals working with this category of children.
8. Create mobile professional teams for continuous field work, in charge of identifying problems and working with parents to remove children from the street, as well as ensuring integration of children and their families into the system.
9. Open daily and crisis centers wherever they are needed, but treat them as a temporary solution to be followed by more permanent solutions to this problem and the full inclusion of family and child, with further monitoring of the situation and the measures that can be taken for the purpose of relocation and rehabilitation of the child who has been subjected to exploitation and abuse
10. Establish special register and database on children who beg, meaning those who are abused and exploited in this way.
11. Adopting appropriate legal and other regulations for prevention and protection of children from exploitation.
12. Take all possible measures in order to register all children, which requires inter-sectoral and regional cooperation.
13. Sensitize and educate the public about the harmful effects of child begging.

Based on research results, identified deficiencies, difficulties and challenges faced by public and NGO sectors with regard to suppression and prevention of child begging and the obligations assumed by signing international acts on child rights and protection of sensitive groups of children and child victims of exclusion, neglect, abuse, maltreatment and exploitation, the ombudsman institutions which participated in the research specifically recommended the following:

- ensure consistent understanding and inclusion of definition of begging (and determining the form of begging) in the existing legislation;

- ensure systematic collection of data and keeping proper records at all relevant institutions and bodies, which would serve as the basis for preparing programs and actions aimed at improving the status of children in this category;
- provide compulsory primary education, which must include all children, and, in particular, take the necessary measures to include as many Roma children in preschool education.
- provide timely response of the competent authorities in cases of inadequate parental care and early detection of children at risk of becoming beggars;
- strengthen co-operation of the educational institutions and social welfare centers for the purpose of prevention and suppression of child begging and dealing with individual cases;
- strengthen cooperation between all competent institutions and NGOs dealing with this issue and ensure their involvement in the preparation of plans, programs, and activities aimed at their implementation;
- raise awareness and educate adults about the obligation to report all cases of exploitation, neglect and abuse of children;
- undertake preventive measures and activities in order to strengthen the capacities of parents and their responsibility for acting contrary to the interests of the child, i.e., not taking the necessary measures to protect the child;
- in order to adequately protect the children who are at risk it is necessary to define rules and procedures for the conduct of the competent authorities in the situations in which the children may find themselves - leaving school, behavior problems, begging, etc.;
- regulate in detail the issue of criminal liability of the children who beg and adults, especially the responsibility of parents, guardians or adoptive parents in case of child begging;
- develop a system in which the children found to live on the street and /or caught would be allowed to apply for issuance of personal identification documents or medical records and which would allow for their registration and monitoring of their development through a uniform system of records which would be made available to all relevant institutions;
- adopt and implement a strategy for suppression, prevention and elimination of child begging (on local, provincial, entity or state level) which would define the standards and principles, general guidelines, competent authorities and the mechanisms for suppression, prevention and elimination of child begging;
- amend the existing regulations governing the crossing of state borders, in order to regulate the procedure by which persons under 18 may cross the border alone, or accompanied by persons who are not their parents or guardians.



APPENDIX

Research matrix

MEMOS							Questions within the research	Questions for respondents (on the field)
Relevant ministries	Social Care Institutions	Police Authorities	Civil Society Organisations	Group discussion (focus groups)	Street children			
							Scope	
x	x	x	x					Total number of children who were admitted to or registered in or processed in the given institution (does it refer to a number of children or a number of cases?) in the last 12 months
x	x	x	x					The number of registered begging cases per month in the last 12 months.
	x	x						Is the information on the number of repeat offenders available? (if yes, its is possible to see the ratio of the number of cases and the number of persons)
	x		x					How did a child reach your organisation? How the children reach your organisation?
x	x	x	x					What sort of activities do you implement in your work with children?
x		x	x					Age (age structure)
x		x	x					Sex
x	x	x	x					Location where the case of begging occurred
x	x	x	x					Place of residence of child beggar
	x	x	x		x			Duration - how much time does a child spend on the street for this purpose, on daily/week basis (if such information is available)
x		x						Measures taken:
		x						Number of persons penalised
	x							What measures were taken
			x		x			What is the average earning
			x		x			How much money do children earn on daily basis?
								Do you go to school? If you do, how does this affect it?
			x		x			How much of the money you earn you have to give to another person? To whom?
							Causes of begging	
			x	x	x			The respondents are asked directly what is the cause of begging in their opinion
					x			Make efforts to obtain information on the key events that, in their opinion, lead to them being on the street
							Relation and interaction of stakeholders regarding the child begging phenomenon	
x	x	x	x	x				What are the competencies of your institution regarding the child begging phenomenon?
x								What steps does your institution take to address the child begging phenomenon?
		x	x	x				What measures does your institution take with regard to the child who begs?
x	x	x	x	x				Do you think that your institution, in terms of addressing the child begging phenomenon, possesses sufficient;
x	x	x	x	x				Human resources?
x	x	x	x	x				Material resources?
x	x	x	x	x				Do you possess professional competencies required to work on these issues?
x				x				Are there any strategic documents in place, based on which you take systematic approach in dealing with begging problem – strategies, action plans, cooperation protocols...?
		x		x				Is there any sort of inter-institutional cooperation/coordination between your institution and other institutions in terms of addressing the begging phenomenon?

				x		If yes,
				x		Which institutions/organisations do you cooperate with?
				x		Who initiated cooperation?
				x		Mandate?
				x		For how long have you been cooperating?
				x		What do you think about that cooperation - how would you evaluate it?
				x		1.What are the current obstacles to such cooperation?
				x		2.How can this cooperation be improved?
				x		What is the information flow between your respective organisations regarding this phenomenon like?
				x		What legal actions are taken against the organisers of begging?
	x					Do you think that penalties imposed contribute to efficient addressing of the child begging issues?
	x	x	x			
Implications of child begging phenomenon						
						What are the implications of child begging on a child?
						(School and begging) How do they influence each other?
				x		How does the child feel about what he/she does?
				x		Does a child feel scared or safe? When? Why?
				x		Would you like to continue doing this?
				x		If yes, why?
				x		I not:
		x		x		1.What else could contribute to the efforts to make children stop begging?
				x		2.What would they do to stop begging?
				x		Do they have a choice to do it/not to do it?
				x		What negative effects may arise if they want to stop begging?
				x		How does begging affect them?
				x		Do children want to do something other than begging?
				x		Hope for the future?
				x		What is needed for hope to come true?
		x	x			What are the implications of child begging on parents?
		x	x			What are the implications of child begging on the community?
Identification of risk-factors						
						Based on your findings, what are the risk factor that result in phenomenon of child begging? Please, list the reasons and let them choose those they deem the most important.
x	x		x	x		Without parental care
						Narcotic users
						Socially marginalised children
						Children exposed to domestic violence
						Dropouts
						Foreign nationals
						Roma people
						Refugees and displaced persons
						Children with disabilities
						Children violating the law
						Children having behavioural disorders
						Street children
						Children included in readmission procedure

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