



CHILD BEGGING IN MONTENEGRO

- key findings and recommendations -



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Introductory notes

In the following pages we present survey results on child begging in Montenegro, realized by CEDEM, in cooperation with a German non-governmental charitable organization Help. Research is realized in the period from 25th to 30th of September, in six Montenegrin municipalities: Berane, Bijelo Polje, Podgorica, Nikšić, Bar and Tivat. The method used was a group interview. The interviews lasted between 1:45h (Tivat) and 2:30h (Berane). Participants in the group interviews were representatives of relevant institution involved in the issue of inclusion of the Roma and Egyptians in various ways, especially those related to the issue of child begging.¹ All interviews were made in a one-week-period, and the discussions were driven by identical methodology. We formulated several key topics to discuss on interviews, and, of course, a moderator asked a whole array of questions asking for examples and provision of more detailed responses in discussions. The themes that were formulated and which defined group interviews were:

- General issues of inclusion of the Roma and Egyptians;
- Manifestation forms, frequency and experiences related to child begging issue;
- Attitudes and practices of competent relevant authorities when speaking of fight against begging;
- Communication and cooperation issues with Roma community, and
- Proposed measures for fight against child begging.

The interviewees have shown satisfactory level of proficiency and interest in subject issue and there are no significant methodological doubts regarding honesty of their statements. All group interviews were recorded using audio devices. Also, the transcript of interviews was made which, together with audio material, served as empirical content subject to analysis. A relevant software for qualitative analysis (Nvivo) was used for the analysis of data/statements and writing of the Report. As a method in data analysis we were governed by the approach based on facts² (Corbin& Strauss, 2008). Therefore, the model of open and focused coding was used, together with forming of relevant codes based on mediator's notes.

Additionally, throughout the whole Report, we realized a desk research³ which provides short overview of the most relevant documents at the topic of child begging in Montenegro. A key goal of this research and Report was to avoid repeating of typical knowledge and statements regarding begging issues, and repeating of information already based on other surveys, even though we have had more than enough empirical materials for this type of statements. Also, the goal of this desk research was to avoid theoretical definitions of begging among minors, Roma community and all other key concepts that have a common meaning in our research, i.e. those meanings that are usually used when speaking of these issues, and which are clearly defined in researches published up-to-date. Finally, research goals were: determining form, cause and overall phenomenology of child begging among Roma and Egyptians, determining experiences and efficiency of previously used instruments and applied measures, together with identification of possible new measures with the aim to fight against child begging.

1 Detailed insight in the structure and group participants is given in Appendix 1

2 Grounded Theory Approach

3 Complete desk research is realized by Dijana Delić and the results of it are given in Appendices 2, 3, 4 and 5.

Manifestations, patterns and phenomenology of child begging

In all six municipalities where the research was conducted, it was shown that there were certain common characteristics of child begging. However, there are certain differences, which are especially informative, having in mind various manners of approaching the issue of begging. First of all, it must be noted that scope and frequency of child begging issues in these six municipalities varies. The issue is the most prominent in Berane and Podgorica, quite present in Nikšić and Bar, and less present in Bijelo Polje and Tivat. Common for all municipalities mentioned above is that in most cases child begging is initiated, supported or tolerated by the parents. Therefore, this is the case of family economy strategy, i.e. family survival to be more precise. Common part of this issue is the fact that overall social-economical position of Roma and Egyptians in all municipalities is pretty poor. All

“You should see for yourself where these children and their parents live. You should see what it looks like... It’s horrible... They don’t have enough money for bread, and they sleep in dirt....?”

discussion participants deem that essential fight against child begging must be focused on overall improvement of social-economical position of Roma and Egyptians. If beggary is treated as isolated phenomena, then we will witness fight against symptoms, and not cause of the issue.

“...the matter is even worse when they have no documents..... because they cannot receive social aid, and of course children start begging ...”

Also, it was emphasized in all municipalities that a solution to the problem of documentation of Roma and Egyptians must be found. Namely, without documentation, the Roma cannot pursue whole array of rights, including social aid (MSF)⁴, and this is a long-term issue that

affects not only begging, but the whole range of other issues as well. According to MIA estimates, there are between 700 and 800 RE population members in Montenegro without regulated legal status, while some 300 entered the procedure to regulate their status. It is important to notice that there is a huge improvement in past years in this sense, thanks to the involvement of organizations dealing with Roma issues, mediators and good coordination between these services.

“...we know all those kids well... we know them and their parents. We were at their homes. We know where they live and what they do. We are constantly in touch with those children...”

The research clearly shows that, apart from Podgorica where it is less the case, in all other municipalities interviewees personally know the children, together with their families. They describe their family situation, material conditions, their behaviour and all other details, which describe the spectrum of the issue, and

behavioural patterns arising from their overall situation, in detail.

⁴ In this part there were contradictory claims. Namely, based on statements from discussion participants from UNHCR, it is claimed that refugees and all Roma who do not have solved documentation issues receive financial-monthly-aid which is identical to the amount of a social aid. According to a final data by UNHCR, some 50 members of RE population receive such an aid in Montenegro. However, it is also stated that this programme will last until December this year, after which, if they do not solve the issue of documentation, families that receive this aid will remain without any financial support.

This analysis results in some general conclusions that we presented herewith, but also some specificities which show that, in some situations, there has to be an individual plan for solving the problem of children. For example, as described, there are situations that are unsolvable because parents, predominantly father, initiates, instructs and even puts under pressure his children to beg and bring him money. In situation such as this one, problem-solving is almost impossible, because the influence of parents on children is much greater than the influence coming from institutions and their representatives. Simply put, no matter how many beggary cases are processed, the moment these children return to parenting home, they are pressured to continue with begging. In these situations, not misdemeanor charges nor court epilogue provide any results. Discussion participants deem that the only solution in such situations is to deny the right of parenthood to unconscionable parents and for children to be placed in foster families or special institutions. In order to achieve this, as stated by interviewees, it is needed to amend legislation and introduce more flexible/important role of relevant authorities. Almost all interviewees agreed with this statement, including the representatives of Roma/Egyptian population. Hence, if we are facing permanent fight against same cases of beggary, where each attempt of suppression is followed by recidivism, and where parents pressure their children to go out and beg, taking no account of the influence by the institutions, the only solution is more flexible legislation that will enable taking away of children from parents.

"... trust me, there is no other way. We take the children away from streets, we bring them to parents, the same children are back on streets tomorrow. Father forces them to beg. Trust me, the only solution is to deny them parenthood"

In Podgorica, the capital of Montenegro, the issue of beggary is prominent in the sense of a great number of children involved in begging. Unlike other municipalities, there is no personal acquaintance with children and their parents by representatives of competent institutions.⁵ Also, unlike other municipalities, Podgorica features frequent begging in late hours at night, and early hours in the morning, in situations when cafes and night clubs are closing, to be more precise. In these situations tens of Roma and Egyptian children, at that time, beg from guests leaving the clubs. The practice has shown that the Police are not reacting adequately in these situations, and other institutions are not available for solving of the child begging situation. Hence, apart from a great number of children begging, Podgorica features the issue of beggary patterns that accompany urban surroundings, which additionally expose the children to danger from violence and delinquency of various types. Also, even though it is present in all municipalities, interviewees in Podgorica state that misuse of psychoactive substances is very present and increasing in Roma communities, among minor population⁶, and this represents a separate issue that will, as stated by interviewees, soon become one of a key problems when speaking of Roma population in general.

"... you see kids at 4am begging in front of a club. You call the Police. They say it's not their job. You call Center for social care, nobody answers the phone"

"...the worst thing is that father forces them to beg. What can we do when their own father sends them to streets, to beg?"

⁵ Only a couple of interviewees mentions several cases known, but it is minority compared with total number of children

⁶ The same issue is emphasized by interviewees from Nikšić

“There is no beggary here (Tivat) because all children are in school. And honestly speaking, when you tell parents that they lose social aid if the kids don’t go to school, the parents force children to attend school”

When speaking of Bijelo Polje and Tivat, we should take into consideration various reasons of a low level of presence of this issue in these two municipalities. In the first case (Bijelo Polje), there is a low number of Roma population in this municipality, especially because there is almost no refugees, mainly Egyptian families.⁷ Namely,

even when there are occasional cases of child begging in Bijelo Polje, those are mainly children coming from Berane, where there are simply too many Roma children begging.⁸ Accordingly, a key aspect is that in Bijelo Polje, as we have already stressed, begging is not that present because a total number of Roma people is relatively small.⁹ On the other hand, this number is much greater in Tivat.¹⁰ Therefore, in Tivat, there is almost no child begging.¹¹ Also, almost all Roma and Egyptian children in Tivat attend schooling. This is the key reason of minimal number of those who beg. The reason for their almost complete schooling attendance is the existence of efficient mediator (Egyptian) working in NGO sector. This mediator pro-actively and daily communicates with representatives of local community on one hand, and Roma community on the other. This communication with parents of Roma children resulted in regular school attendance. The best prevention of beggary, in this and other cases throughout Montenegro, is when children attend school. In order to achieve this, it is necessary to have a reliable and motivated go-between/mediator who is a member of Roma population and who exerts constant contact/pressure on parents of Roma and Egyptian children. The effect of existence of a RE mediator is evident, if we analyze the situation in other municipalities. Namely, efficient communication with children’s parents and as a result of that - school attendance, largely depend on existence/non-existence of a mediator. However, it is important to note that, when speaking of Tivat, the mediator had an active role in solving of documentation issues, which represents the very first issue in the cycle of all issues. Precisely saying, by executing these activities, the mediator and NGO he is representing gained trust and integrity with parents, and he was used to put parents under pressure and make their children attend school.

However, apart from mediators, there is another important mechanism when speaking of school attendance among Roma children. Berane is a typical example where, according to school representatives, a visible improvement was made when speaking of school attendance and low degree of drop-out.¹² The first reason for an improvement in this field could be found in many years of activism of NGO¹³ that had a Day-care Center for Roma children, and which has actively worked on all inclusion aspects. The second reason is coordinated and constant pressure on parents by all the institutions. The mechanism in usage

7 The difference between domicile Roma and migrants, mostly Egyptians from Kosovo is indicative and this issue will be treated later

8 Roughly speaking, the Roma come from Berane in Bijelo Polje to beg because there is a high level of competition in Berane in this field

9 According to the assessment, there are 371 persons belonging to the Roma community

10 There are some hundred families in three settlements, meaning that total number of Roma and Egyptians, according to this estimate, is around 500-600, which is proportionally significantly greater number, given the fact that Tivat is considerably smaller compared to Bijelo Polje, per number of population

11 Four or five children beg in front of supermarket store every day, and they are never in the downtown or tourist zone. The children who beg came from Serbia (Novi Pazar) in a previous couple of years, and no communication is established with them or their parents. According to the Roma representative, we are speaking of three families, in this case

12 148 children was enrolled this year, which represents high record in previous five years, and this number is constantly increasing in previous years

13 NGO “Enfants” from Rožaje works on suppression of child begging for many years, throughout north of the country

became standard which is highly recommended to all the other municipalities. This mechanism consists of the following: senior class teacher keeps record. When a child does not come to school, a parent is called. If a parent does not answer, the Police and Center for social care are called. Afterwards, misdemeanor charge is filed against parent who is not cooperating. When parents testify to cooperation between all institutions in resolution process of this issue and when all relevant authorities exert pressure on parents, then parents force children not to leave school. Simply put, parents react to pressure. Therefore, permanent pressure and communication with parents, including a threat¹⁴ of penalty is an excellent mean to prevent children from dropping out the school. Constant pressure and communication affect raising the awareness of parents. It is crucial that in this manner, it has been explained to parents that child care is their responsibility, and not their free will. Consequently, communication with parents in Berane was effective in the sense that it became a two-way street. Namely, as a result of constant communication, it has happened that parents themselves approach and come to social and other services to ask and report their children, if they went missing. Besides, a very prompt Roma mediator employed in school in Berane is not only dealing with obligation towards school, but also an overall communication with Roma community. Accordingly, based on the research, we can deduct that **the key to fight against beggary is to get children involved in the education system. In order to achieve this, it is necessary to communicate/cooperate/ put pressure on parents, and in order to achieve this, it is necessary to have an efficient RE mediator/go-between and coordinated work/pressure on parents by all relevant institutions.** In all situations when stated factors are present, beggary is suppressed much more efficiently than in situations when that is not the case.

Bar municipality inversely confirms above stated conclusion. In this municipality, there are no mediators neither in schools nor in NGO sector. The result is a very small percentage of Roma children in schools.¹⁵ According to interviewees, the problem in this municipality is that there is simply no educated Roma person in Bar with whom it is possible to talk. Additionally, coordination and cooperation of all representatives of the relevant institutions dealing with Roma issues is not satisfactory. When speaking of communication with parents of Roma children, in situations when there is no mediation, it is inefficient. This is the case in Bar and in other municipalities. Simply put, it is very difficult to communicate and gain trust of parents if you are not ethnic Roma or Egyptian. The discussion participants in Nikšić point out that parents avoid communication with institution representatives, and that in case when the communication is established, parents simply promise everything they are asked for whereas immediately after the communication, they behave the same as it was the case before promises were given. On the other side, Roma mediators enjoy their trust, and secondly, they simply know how to establish and maintain communication, including

"We have no educated Roma person here (in Bar) with whom we can work... No one ... Not a single one... How can we talk to parents of those children when there is no Roma member to serve as a mediator?"

¹⁴ Penalization as such, according to interviewees, in the most cases does not bring results. Greater effect is achieved by threatening with penalization, or even better with threatening that they will lose benefits from the state, if the children do not attend school. Precisely this mechanism (threatening to cancel state benefits if the children do not attend schooling) is the most common way in which Egyptian mediator exerts pressure on parents in Tivat

¹⁵ According to interviewees in Tivat the same situation is in Kotor as well, even though we did not conduct research in this municipality. However, discussion participants in Tivat state that Kotor has no Roma member mediator and no Roma NGO's, and that children's inclusion in schools is only around 20%

threats of losing benefits and penalization, which is highly effective.¹⁶ Bar municipality is specific because during summer there is organized beggary. According to interviewees, a great number of Roma children arrive in an organized manner from Serbia, Bosnia and Herzegovina and Kosovo. And, they stay in Bar while tourists are around.

When it comes to Nikšić, the issue of child begging is not that prominent, but, according to interviewees, there are some 15 children from four families, and all children, together with their families, are familiar to the representatives of relevant institutions. Overall fight and protection of these children provides limited results due to above mentioned family/parental influence. The discussion participants in this municipality point out that, when speaking of these children, beggary represents not that big problem. Namely, the same children are exposed, or are victims of violence, sexual abuse¹⁷, pedophilia, prostitution and drug addiction. Hence, this is a complete syndrome linked with street life of these children, and negative effects of parental (non) care. However, what is the most significant finding in Nikšić is the existence of Day-care center for these children, established in cooperation with Center for social care and a local NGO. During the day, the Center takes care of children who are begging and to whom this center is exclusively intended. All children (10-15) who are begging are beneficiaries of this Center, on an everyday basis. Children remain in the Center for three-four hours, to be more precise - from 10h to 15h. A treatment provided at the Center is comprehensive and diversified. Firstly, when children arrive at the Center they are asked about all information so that, in this way, record issues could be considered solved. When they come for a second time, children arrive with parents, when estimate of overall status of children is made. Besides food and entertainment, children are provided with psychological and social care. The Center has two Roma mediators who provide assistance in this field, and it proved to be especially important and efficient. The problem is, however, that the practice has shown that the moment they leave the Center, children go begging. In other words, taking kids off the streets is temporary, and without cooperation with parents and their activity in the sense of suppression of beggary, all effects of this and similar institutions will have limited impact. This confirms key thesis we insist on, based on research findings, noting that without efficient cooperation and parental support, the issue of child begging cannot be solved. In order to obtain communication with parents, Roma mediators are needed. If, besides all efforts made, there is no solution/improvement, the only way could be more flexible legislation and the action of institutions that would take children away from their parents. This is one of the key research findings, and we will insist on it on multiple occasions, throughout this Report.

Overview of various child begging in the sense of intensity and frequency of various aspects is provided visually in Table 1. The overview is made based on analysis of overall empirical material (statement) by the interviewees, and is presented visually, ranging from bright/darker/intense colours referring to high intensity and negative values. The less intensive a colour is, the less a problem (frequency/intensity) of subject aspect/issue is presented. When speaking of a Day-care center, excluding the one already existing in Nikšić, we

¹⁶ Ethical issue remains whether such approach is acceptable. However, at this point, we state that threatening parents that they will lose benefits from the state if they, as parents, do not take care of their children, especially if their children do not attend school, is very efficient

¹⁷ In her interview, a representative of the Prosecution's Office has thoroughly described the case of sexual abuse of three Roma sibling girls by the same perpetrator, who owns a boutique. Due to the lack of evidence, this case was renamed as the case of 'illegal sexual act', and all the time during the trial the defendants protected their father who was a part of the case

also have experience with a similar institution in Berane. To be more precise, such a Center was founded in Berane through the assistance of NGO ENFANTS, but does not exist anymore, due to the lack of fundings. Interviewees point out that the Day-care center has had significant effects not only in the prevention of child begging, but also in overall Roma inclusion, especially when speaking of a higher degree of inclusion of children in education system. This Center's experience also shows the necessity to create a whole-day-children content, i.e. it is not enough only to remove them from the streets. These programmes involve fun and games, but also education and complete psychological and social aid needed to these children. Also, it is necessary for the Center to have Roma mediators in order to obtain above mentioned, highly needed communication and cooperation with the parents of Roma and Egyptian children, without which it is almost impossible to reach a long-term and positive results.

Table 1. Overview of frequency and intensity of a child begging issues, per municipalities

	Berane	Bijelo Polje	Podgorica	Nikšić	Bar	Tivat
Prominence of the issue (child begging)	Highly prominent	Not prominent	Very prominent	Prominent	Prominent	Not prominent
Family begging	Crucial	Crucial	Crucial	Crucial	Crucial	Crucial
Spontaneous child begging	Present	No	Present	Present	Rare	No
Organized begging	No	No	Rare	Rare	In season	No
Social-economical position of RE	Very poor	Poor	Poor	Very poor	Very poor	Poor
Communication with parents	Good	Bad	Very bad	Bad	None	Good
Role of Roma mediators/ go-betweens	Prominent	None	Solid	Solid	None	Excellent
School attendance	Very good	Medium	Medium	Medium	Bad	Excellent
Prejudice and stigmatization by the majority	Prominent	Prominent	Not Prominent	Not especially prominent	Very prominent	Prominent
Sensitivity of institutions' employees	Low	Very low	Solid	Solid	Low	Solid
Penalty frequency	Often	Rare	Often	Often	Rare	Very rare
Cooperation between relevant institutions	Solid	Very poor	Solid	Bad	Very poor	Solid
Exposure of children to violence and other risk factors	Major	Minor	Great	Great	Great	Minor

Also, it is important to note that regarding a Day-care center, interviewees in all municipalities proposed it as permanent solution, without the mediator asking this question in discussion, or imposing the topic of its opening.¹⁸ Hence, all representatives of competent institutions believe that a Day-care Center is a needed institutional mechanism which takes the children away from streets, separate them from negative effect of parents and Roma

¹⁸ Municipality Tivat is the exception, but we note that almost hundred percent of children there go to school, that documentation issue is almost completely solved and that they have effective Egyptian mediator who solves issues of Roma and Egyptian community, on daily basis

community. However, in the discussion, participants pointed out that the Center should meet certain conditions, so it could efficiently fulfill its role. Firstly, the Center must be of a whole day character and should meet conditions of Shelter for Children – Victims in Begging (hereinafter: Shelter), because if that's not the case (as it is not in Nikšić), the moment they leave the Center, children will be back on streets. Secondly, the Shelter must have Roma mediators, because in that manner you achieve trust and cooperation of children and parents. Thirdly, the Shelter must efficiently communicate with parents and include them in the process of child (re)socialization. Fourthly, the Shelter must have entertaining and educational content, therefore, it should not be reduced only to a Day-care Center that takes care of them temporarily and provides food. Furthermore, the Shelter must form individual plans for children, based on multidisciplinary psychological, social and professional work, and take care of implementation of these plans. Finally, the Shelter must actively coordinate the work with other relevant authorities (schools, Centers for social care, Police, Red Cross etc.), and all institutions must assume their responsibility for efficient inclusion of these Roma children. Hence, the Shelter is surely a good idea, but its establishing and functioning must be followed by good and coordinated organization, if we want to obtain satisfactory results.

One of the issues pointed out by interviewees is the separation of Roma community into the Roma and Egyptians. Even though we had opposite attitudes in this sense, the majority of interviewees still deem that begging is more present among Egyptian kids and majority of Egyptians are refugees from Kosovo, who came to Montenegro from 1999 to 2001. The most common reason for higher begging rate among Egyptian compared with Roma children, is more difficult material position of Egyptian community. Also, it is stated that integration of Egyptians is difficult in all aspects due to the fact that, as refugees, they face more difficulties while obtaining documentation. Besides, it is stated that domicile Roma have been exposed to all types of institutional inclusion types for a long period of time, whereas this is not the case with Egyptians. Finally, this issue is not equally prominent in all municipalities, in the sense of distance between Roma and Egyptians. Usually, they live in separate settlements, and the problem occurs when one of the two communities receives benefits from the state, and the other one does not. For example, in Podgorica, the allocation of apartments was valid only for refugees, followed by negative reaction by domicile Roma. Also, Egyptian refugees receive certain material aid from UNHCR, which is not the case with domicile Roma. However, it is valid to note that due to the lack of documentation, refugees do not receive social aid which is received by domicile Roma. All in all, it seems that cause of separation between Roma and Egyptians is not ethnic, but it mainly deals with various material benefits provided by competent institutions, arising from various statuses. When speaking of beggary, the interviewees do agree that there are more children beggars coming from refugee, i.e. Egyptian families. This is significant because it is more difficult to obtain cooperation with refugee families than domicile Roma ones, due to differences in social origins. However, it is important to note that, when speaking of the role of a mediator, the practice from these municipalities shows that there is no obstacle for a mediator to be a Roma or an Egyptian, and that regardless of ethnicity, he achieves equal communication in cooperation with both ethnic communities.

Key reasons for child begging among Roma and Egyptians

The beggary issue among Roma and Egyptian children in Montenegro is not a separate issue that can be treated independently from the whole spectrum of social issues that Roma and Egyptians are facing. Child begging should be treated as an integral part of wide spectrum of issues that define overall social and economical status of Roma and Egyptian population. When speaking of factors/causes we will identify them per significance.

Firstly, it must be said that the key factor that generates beggary is **poor social and economical status of Roma and Egyptians**. As stated by participants in the group interview, this status can be qualified as: ‘horrible’, ‘catastrophic’, ‘unspeakable’, ‘terrible’, etc. Hence, beggary of Roma and Egyptian children in Montenegro is first of all survival strategy resulting from material deficit and highly unfavourable social-economical position of Roma community, in general. In other words, without fight against long-term and permanent poverty cycle of Roma and Egyptians all measures taken in fight against child begging should primarily be seen as acute forms of ‘treating’ this issue, rather than causal solving of the issue in strategic manner.

The second factor of child begging is **negligence of parents towards children**. Simply put, parents of Roma and Egyptian children who are begging are either direct initiators of their beggary, or consciously and deliberately tolerate/encourage such their behaviour. This partly results from above stated reasons, i.e. the thesis that begging is the strategy for survival and partly due to the fact that parents simply do not have well developed sense of responsibility and empathy towards their own children. In a nutshell, parents in Roma and Egyptian community do not take enough care about their own children. They do not have developed awareness on standards that must be in place when speaking of upbringing and education of children. Therefore, parents must be the first address in fight against beggary, i.e. without their cooperation and active participation in problem solving expected long-term positive outcome can hardly be expected.

The third factor is highly related to the previous two, and is represented in serious **deficits in primary socialization of Roma and Egyptian children**. This is especially the case in situations when RE children are excluded from education process in regular schooling. Due to such deficit in primary socialization children develop behavioural codes which completely justify, and even encourage, all mechanisms of ‘getting by’ at streets, and one of those mechanisms is beggary for sure.

The fourth factor is an **effect of secondary socialization**, i.e. effect of Roma community in wider sense. Roma and Egyptians live in segregated Roma settlements/communities where they reproduce specific way of living. In general, this culture is largely based on ‘getting by’ of every kind. Life culture between Roma and Egyptians encourages beggary as well, together with all other forms of ‘getting by at streets’. Children, by living in these communities, by copying, mimicking and other formative socialization mechanisms, accept dominant patterns of behaviour and values, and beggary is certainly one of legitimate and common mechanisms. Besides, in Roma community that lives in ghetto conditions often there is informal structure of power where some ‘prominent’ individuals exert pressure on others, especially children, to ‘fit’ them into existing permanent standards of behaviour and ‘getting by’.

Key forms of child begging

It is necessary to discern between several types of child begging that we managed to identify in group interviews. These forms are significant because each one has different causes and demands different treatment from the aspect of fight against begging.

The first form is beggary instructed and/or organized by parents that we call: **family begging**. This type of beggary, based on discussions in all municipalities, is the most frequent one. Simply put, parents directly instruct and/or encourage children to beg, with the aim of provision of necessary material funds. This type encompasses joint beggary of mother with children that became pretty often. Based on interviewees' statements, this type features cases in which a father insists on children to act aggressively while begging by his own violent behaviour, in a way that he determines daily quota, and then behaves violently if the quota is not met.

The second type of beggary is **spontaneous child begging**. This type is characteristic because parents do not instruct and do not insist for children to beg (even though they're aware that children do it), but children do it themselves spontaneously. This type of beggary involves some sort of a 'street way of life' which usually starts with constant avoidance of school and implementation of various survival strategies, where beggary is only one of those strategies. These children are especially exposed to risk of various sorts of violence and pressure, including the risk to be involved in various types of deviant behaviour.¹⁹

The third type of beggary is qualified as **organized begging**. This type is characteristic because certain individual, usually with crime record, organizes children in a way to exploit them through begging, in the aim of obtaining personal material gain. Simply put, the children are instructed and/or forced by the individual to beg, and money they earn is given to organizer. Person who organizes them is also from Roma/Egyptian community. It is a person with certain status in Roma community in a way that he is characterized with violent behaviour, and often a criminal record, also a person that is feared by all community members. This form of beggary is the most dangerous for children themselves due to the fact that children are, in fact, under double exploitation, permanently exposed to threat and actual violence. A positive thing is that this type of beggary is least present in Montenegro, i.e. it occurs, as stated by interviewees, only in summer season when organizers with children come from abroad.

When speaking of **family and spontaneous begging**, the key address for efficient suppression of begging are the parents, while in case of organized begging efficient fight must be addressed to MIA and Court bodies. We should have in mind that in the case of organized begging, the very parents of children who are begging are exposed to potential violence by the organizer.

¹⁹ One of the problems that all institution representatives dealing with Roma issues are facing is increase of drug abuse in Roma settlements. The participants state that frequency of abuse of psycho-active substances among minor Roma and Egyptians is on the rise, and that if the trend continues, it will gain epidemic proportions

Barriers in fight against begging

Suppression of beggary in Montenegro in practice so far, according to discussion participants, can be characterized as ‘Sisyphian task’. All activities conducted in the field simply do not provide long-term results in practice. These actions and activities remove children from streets only temporarily, and those same children continue with begging the same way as before the very next moment/day. In the lines ahead, we will present key reasons of limited effect of fight against beggary.

The first barrier is the fact that a great number of children dealing with beggary **do not have necessary documentation** needed for integration into institutions. This issue is in fact of wider character and affects a whole array of other issues faced by Roma and Egyptians in Montenegro. Without documentation, children and their family members cannot exert a wide range of rights and benefits that would affect affirmatively the improvement of their position, and overall social and psychological development of children. The problem is even more prominent when speaking of Egyptians, which are in most cases refugees from Kosovo, and provision of their documentation is difficult due to the fact that documents cannot be issued in Montenegro. However, it is important to say that in previous years there has been a great improvement in this sense, i.e. measures are taken in previous 10 years and significant results are achieved. However, there are lots of Roma, and even more Egyptians without documentation and this represents serious issue for overall inclusion.

The second barrier is the **lack of integration of children in schooling system**. This encompasses dropping out of elementary education, or even permanent absence from school. Roma minors who are firmly integrated into schooling system are mostly not the ones engaged in beggary. Their active integration in schooling system would be the most efficient manner for permanent avoidance of beggary. In this sense, attending kindergarten has proven to be especially efficient, and this aspect was especially insisted upon by interviewees. Therefore, if Roma and Egyptian children are included in the system, in kindergarten, in the phase of early socialization, this reduces negative effect coming from parents and Roma community.

The third barrier is the **lack or inefficient communication with parents** of Roma and Egyptian children. Parents are focal point in fight against beggary. If the parents tolerate, or even worse, initiate beggary of their own children, it is very difficult to suppress this behaviour. In the chain of institutional fight against beggary it is very difficult to establish and maintain contact/communication with parents. Children’s parents simply avoid or completely refuse to communicate with relevant bodies, whether be it school representatives, centers for social care or Red Cross office. Even in situations when there is communication parents simply promise to do everything that is asked from them, and immediately tomorrow they tolerate or send their own children to beg again.

The fourth barrier is the **lack of Roma mediators** or authentic representatives of Roma and Egyptians who function as go-betweens in communication between system institutions and RE community. The practice shows that in each town where there is a representative

of RE community who communicates efficiently with institutions, and who shows willingness to mediate, effects of fight against beggary (and all other issues) are significantly higher compared to municipalities without such representatives. Plainly put, communication between RE community, including parents of children who beg on one hand and competent institutions on the other cannot be efficient without mediation. The mediation practice has proven to be efficient in education, and in past two years in health care, as well. Accordingly, the key for efficient suppression of beggary and all other negative, unwanted and pathogenic occurrences in RE community is to introduce a mediator who is authentic representative of Roma community in each municipality.²⁰ Based on interviews, it is clear that authentic Roma mediators ‘know’ the way and dynamics to talk to parents and other representatives of RE population. It’s simple, they share the same habitus, they understand their values, understand their culture which is their own as well together with their way of living, and this enables them to obtain communication and exert influence in an efficient manner. Besides, unlike representatives of majority of population Roma mediators are highly motivated to solve the issues of Roma community. Experience shows that in municipalities where there is efficient Roma mediator (Tivat), there is almost no child begging, and what is also crucial almost all children are efficiently integrated into schooling system.

One of the barriers is also **insufficient sensitivity of the employees in competent institutions**. In most of the cases, activities of employees in institutions are related with a certain ‘project’. While the project is lasting the activities are present, the moment the project stops - the activities towards RE community also stop. Besides, often the representatives of institutions do not have enough empathy, understanding, patience and motivation for solving of RE population issues, including beggary. They do not show initiative to establish contact with RE representatives, and especially not the type of contact that would involve visiting RE ghettoized settlements. Stigmatization of Roma affects relevant authorities and their representatives. Based on interviews the highest level of understanding and empathy towards Roma and Egyptians is shown by employees in Red Cross. Not only do they show more understanding for Roma issues, but they also provided more in-dept and detailed information on the lives of Roma and Egyptians in all segments, which leads to conclusion that they have much more frequent contact with them.

A barrier connected with the previous one is **distancing, prejudice and stigmatization of Roma population** by population majority. Practice shows that a great majority of citizens belonging to majority of population stigmatize Roma and Egyptians in an open or hidden way, verbally in most cases and often exert physical violence against them, they simply discriminate them in almost all situations and per all criteria. Population majority does not have enough sensitivity towards Roma and Egyptians, their status and issues. Interviews show that there can hardly be any strategic and long-term improvement if there is no sensibilization of population majority towards Roma and Egyptians. In other words, strong stereotypes and prejudice perpetually label Roma in a way which leads to self-stigmatization and reproduction of existing behavioural patterns which, paradoxically, justify the very prejudices as ‘true’ in the eyes of population majority.

²⁰ NOTE: If a mediator is not a representative of RE community, or if he does not have renowned reputation in the community, the effects of his/her activities will be highly limited, as shown by experience in Berane

One of the barriers is **inefficiency of penalization for child begging**. Representatives of MIA and Prosecution state that each penalty that relies on existing regulations and laws simply does not provide results. The most common type of penalty is misdemeanor charge against parents. After filing such charges, regardless of their epilogue in financial or some other sense, parents' behaviour remains unchanged. Therefore, concept in which penalization acts as prevention against behaviour in future is simply not functioning. However, discussion participants insist on continuation of police activities and court proceedings in situations where there are no other solutions, and that court bodies must exert pressure primarily on parents. Still, research results show that penalization is effective in cases when there is coordinated acting of all institutions (as is the case in Berane). Namely, when there is continuous and systematic pressure on parents from various institutional addresses, positive effects are evident. A coordinated and permanent pressure entails that same request is presented to parents by school, Center for social care, Police, representative of local self-governance, and which is especially important, by Roma mediator/representative.

The following barrier can be qualified as the **lack of efficient communication and cooperation between relevant institutions**. Even though, as stated by discussion participants, this cooperation improved in a previous several years, there are still problems when solving a whole array of concrete situations. Sometimes, the issue is caused by unclear competencies, and often there's the issue of undefined mechanisms for solving of concrete issues. Beggary in late night/early morning hours is a typical example. In such cases address for communication/report by citizens is Center for social care. However, at stated times there is no one present in Center for social care, or in call center. Also, especially in night hours it happens that Police do not react in case of beggary, under excuse that these situations do not fall under their competence. Research shows that, cooperation between institutions, legislation, and even intensity/quality of communication is not the issue. Therefore, in the sense of long-term strategies, this communication and cooperation exists. However, the problem is that there is a whole array of concrete situations in which there are no sophisticated mechanisms of inter-institutional cooperation that would predict and solve concrete issues in the field.

Proposed measures for fight against child begging

Before we propose concrete measures, it is useful once more to insist on the fact that beggary is not an isolated problem, but it is an integral part of wide spectrum of social-economical and cultural characteristics in which Roma and Egyptian communities live. Essential, i.e. causal fight against beggary would, hence, be oriented towards overall improvement of social-economical life conditions of Roma, and also fight for overall inclusion of Roma community. This area covers the need for continuous solving of the issue of documentation for Roma and Egyptians, therefore, we will not mention this as part of proposed measures for fight against beggary itself. Furthermore, when speaking of measures, it should be understood that some of them are already of causal type (for example impact of measures directed towards parents of Roma children), and some of them are of situation type (for example taking children from streets into Day-care centers). Accordingly, when speaking of possible measures and instruments oriented towards suppression of beggary itself, the following measures can be proposed based on research, which are also presented in Scheme 1 below.

- 1. Raising awareness of parents whose children are involved in beggary** – Parents of children who beg are the key address for efficient and sustainable fight against child begging. Simply put, if parents wouldn't allow their own children to beg, the issue of beggary wouldn't exist at all, or it would at least be a minor one. But, as we stated in practice, it is contrary, parents directly encourage or tolerate child begging. Hence, almost all measures and instruments, including those below stated, would have to involve in some way raising of awareness of parents of Roma and Egyptian children who beg. In order to achieve this, it is necessary to have direct contact and collaboration between parents and competent institutions.
- 2. Active involvement of Roma mediators** – As we stated, significant long-term results in fight against beggary cannot be expected without mediation. Also, proposal of this measure does not entail necessary 'employment' of a Roma mediator in a formal sense.²¹ Therefore, institutional capacity of a mediator is of less importance. What is crucial in mediation is for a mediator to actively mediate in communication between representatives of relevant bodies in local community and Roma community, especially with parents of children who beg. In order for a mediator to meet his role he must fulfil several conditions. Firstly, he must be a Roma or Egyptian, if not mediation has no sense. Secondly, he must possess certain qualities as an individual, in the sense of education and/or those qualities that will help him achieve two-way communication. Thirdly, he must be dedicated and highly motivated. Fourthly, he must enjoy certain reputation/authority in Roma community. Hence, establishing of a mediator will not solve the issue per se, but mediation must meet above stated conditions if we wish to achieve determined goals.
- 3. Active, coordinated and direct communication between relevant institutions and parents of Roma children** – As we stated one of the first addresses in fight against beggary are the parents. In their case it is necessary to achieve constant communication and exert pressure. This pressure must be coordinated and stem from all key institutions.

21 Although this would be desirable

Because of lack of responsibility shown by parents only such a multiplied pressure can provide changes in their attitude/behavior, when speaking of their kids' beggary.

- 4. Threatening with penalization and loss of benefits²²** – Penalization of parents as such does not yield significant results, as we presented earlier. However, constant communication and pressure that includes threats, especially if it is coordinated, brings results. Out of all threats, the most efficient one is threatening to withdraw benefits.²³ Namely, almost all Roma parents receive certain benefits from the state and other institutions, in material and financial form. These benefits are very significant for their life reproduction. Proposed mechanism is very simple. Hence, if the children do not go to school, and if children beg, parents are told that their benefits will be cancelled²⁴ (social aid, for example). It is clear that this measure does not sound popular, but it is almost certain that it would yield considerable results.²⁵
- 5. Founding of the Shelter for Children -Victims of Begging** – Apart from all strategic measures in practice, measures that enable acute/immediate fight against beggary must also be introduced. One of the best measures, based on experience so far, and in relation with overall analysis of beggary issue, would be founding of the Shelter for Children – Victims of Begging. Such a Shelter would, however, have to meet certain set of conditions in order to provide wanted results. It is crucial for the Shelter to be in a network and to coordinate with all other institutions and organizations. Most importantly, the Shelter must cooperate with school and children's' parents directly and efficiently. Hence, the Shelter would solve the issue of registration of unknown children, and establish communication with their parents. Also, the Shelter must provide not only accommodation and food, but some other educational content for children, as well. Finally, the Shelter would have to provide psychological-social support to children and parents. There is a prominent need for adoption of individual plans for overall inclusion of children involved in beggary, based on which the Shelter should conduct a number of measures and activities in practice, and to establish coordinated mechanisms with other institutions during implementation of these plans.
- 6. Improvement of coordination and cooperation between all relevant institutions** – Even though communication between relevant institutions is pretty satisfactory, their cooperation and coordination in concrete solving of beggary issue is not. In order to improve this cooperation, it is needed to, firstly, clearly define competencies. Secondly, it is necessary to clearly define modalities of communication in concrete situations, and thirdly, to clearly define procedures and mechanisms of concrete actions.²⁶

22 This mechanism can be treated as ethically controversial, but based on statements by Roma mediators who already use this mechanism, they claim that this is the only way to affect the parents.

23 In theories of motivation this is called 'withdrawal of reward'.

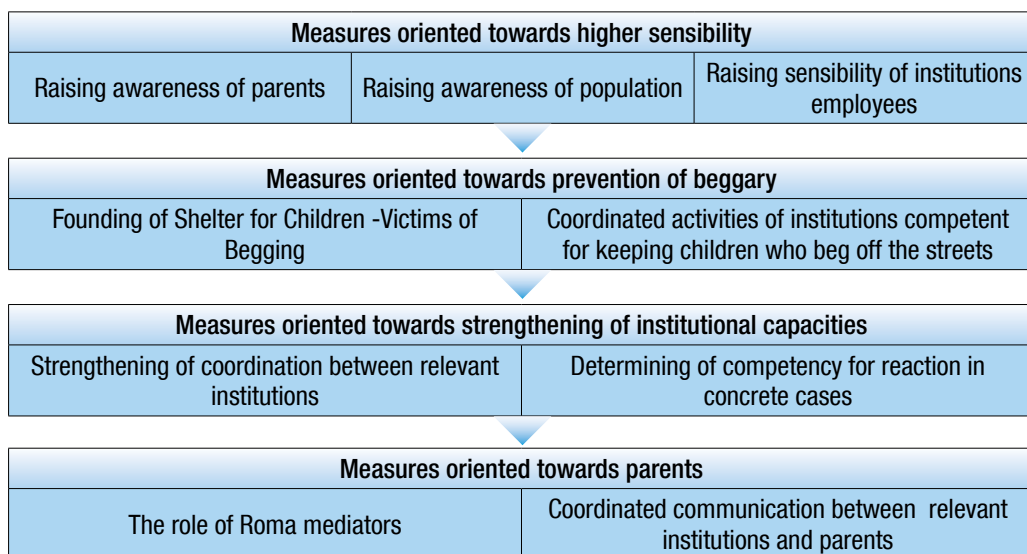
24 Hence, three things, firstly, this can be ethically disputable, but it serves to general wellbeing (to keep children away from begging and street, attending school instead). Secondly, it is clear that there is no legal grounds against its implementation, hence, we are not speaking of practice but of threat as means of prevention. Thirdly, Roma mediators already use this mechanism in informal communication with parents, and it has proven to be highly efficient

25 We are not dealing with realistic possibility of possible implementation of this measure, but after research findings we simply identify it as possibly good mechanism for suppression of beggary

26 For example, if we find a child begging at 4am who calls who? Who reacts? Who removes children from the street? Where are children being removed? Who calls the parents? In which manner the parents are communicated?

- 7. Increasing sensibility of employees in local self-governance and competent institutions** – If we wish to solve the issue of beggary among Roma children we need extraordinary level of empathy, involvement, motivation and wanting from those competent to prevent it. Currently, it cannot be said that this is the case with employees in relevant institutions.²⁷ Therefore, one of the steps that has to be taken is a set of measures and instruments²⁸ that would improve sensibility of employees who are directly competent for fight against child begging in specific situations.
- 8. Raising of awareness of population majority** – Even though this measure could be qualified as the one of general importance, which would affect positively all aspects of Roma inclusion, it must be specially noted that prejudices and stigmatization of Roma and Egyptians have highly negative effects when speaking of attitude of majority population towards child begging among Roma and Egyptians. Citizens simply do not show understanding, empathy and concern towards children who beg. They label them as 'Roma' and these children are not seen as 'children'²⁹ in danger living in harsh conditions with their own needs anymore. Accordingly, we need higher level of sensibility by majority population towards children who beg, and for this we need efficient fight against prejudices, stereotypes and overall ethnic distancing.³⁰

Scheme 1 Overview of proposed measures for suppression of child begging



²⁷ It must be pointed out that in all municipalities, as per hierarchy, there is regularity when speaking of sensibility of employees in various institutions. Namely, the highest level of sensibility and empathy is shown by representatives of Red Cross, they are followed by representatives of Roma and Egyptians, then there are representatives of Center for social care, and employees in schools. Considerably, a lower level of sensitivity is shown by employees of local self-governance bodies, and the lowest level is among representatives of judiciary/prosecution and police.

²⁸ This can include education, workshops, round tables, etc.

²⁹ This is the best seen in statement by one of interviewees who, like most citizens, expressed 'wondering' when established that one of the children begging is not a Roma. Therefore, as long as children who beg are Roma, it is not an issue and is understandable. When it is the case with a non Roma child there is concern and question: How is it possible? Where are his parents? These questions and concern are not present when Roma child is begging, therefore, it is not treated as a child, but as a Roma

³⁰ All researches of ethnic distance in Montenegro, which we did in past 15 years, show that a level of ethnic distance towards Roma is the highest when compared to all other ethnic communities

APPENDIX 1

Structure of interviewees

BERANE:

1. Employee in a local self-governance
2. Psychologist from Center for social care
3. Representative of Police force for fight against juvenile delinquency of children under 12
4. Special pedagogue from Center for social care
5. Roma representative - NGO „Vijeće Roma i Egipcana“
6. Lawyer from Prosecution Office
7. English language professor
8. Representative of NGO „Ruža“ dealing with strengthening of capacities and inclusion of Roma
9. Pedagogue in elementary school
10. Psychologist in elementary school
11. Psychologist in elementary school

BIJELO POLJE:

1. MIA Inspector
2. Representative of Police Directorate, organized crime department, lawyer
3. MIA commander
4. Pedagogue from Center for social care
5. Representative of NGO „Bjelopoljski demokratski centar“
6. Representative of local self-governance
7. Representative of Red Cross
8. Representative of Roma, NGO „E-Roma“

PODGORICA:

1. Roma representative – NGO „Romski savjet“
2. Social worker employed in Center for social care
3. Representative of NGO „Crnogorski ženski lobi“
4. Ombudsman advisor
5. Representative of NGO „Mladi Romi“
6. Representative of Red Cross
7. Pedagogue in elementary school
8. Advisor in MIA, National office for fight against human trafficking

9. Social worker from Center for the rights of a child
10. Representative of Ministry for human and minor rights
11. Representative of NGO „Romsko srce“

NIKŠIĆ

1. Police Directorate, Police center, department of juvenile delinquency
2. Representative of NGO „Centar za romske inicijative“
3. Representative of „Dnevni centar za djecu i porodicu – Defendologija“
4. Roma representative– NGO „Romski Krug“
5. Representative of „SOS telephone for women and children victims of violence“, activist
6. State prosecutor dealing with juvenile delinquency
7. Representative of Red Cross

BAR:

1. MIA Inspector, department for juvenile delinquency
2. Representative of Red Cross
3. Pedagogue in elementary school
4. Professor in high school
5. Social worker in vocational school
6. Pedagogue in high schools
7. Prosecutor for minors
8. Teacher in elementary school
9. Professor in high school

TIVAT:³¹

1. Judge in Basic Court - Kotor
2. Roma - mediator, NGO „Udruženje Egipćana“
3. Principal director assistant in elementary school

³¹ Not all invited interviewees showed up in Tivat, but communication with those who were present was meaningful, useful and competent

APPENDIX 2

Special report on child begging in Montenegro, Ombudsman, Podgorica, 2011 - EXCERPT³²

2. 1. Status quo

Ombudsman affirmed that throughout 2010, relevant bodies in Montenegro registered 323 children caught begging. Centers for social care dealt with 164 children, aged between 2 and 17 while data obtained by Police Directorate show 120 registered cases of begging.³³ This type of beggary, pursuant to replies, given by the Centers, is characteristic for members of Roma, Ashkali and Egyptian population.³⁴ Factors leading to beggary, as stated by the Centers, are the following: position of already mentioned, marginalized groups, disorders of family relations, family violence, and also drug abuse.³⁵

2.2. The most common issues

- **Legal measures and their efficiency** – in the sense of their *implementation* and *implementation effect*, out of the simple reason that they do not lead to suppression of this phenomenon. Imposing a prison sentence or withdrawal of parenting rights for perpetrator who is a parent of a victim is not seen as a solution, because it is deemed that agencies and services such as fostering institutions and institutions for accommodation and care are not developed enough in Montenegro.³⁶ Ombudsman concludes that there are no efficient mechanisms for monitoring of children after they leave the Center for children and youth “Ljubović”, let alone after leaving Montenegrin territory.³⁷ On the other hand, imposing of legally prescribed sanctions would only make the issue more complex, given that, due to social status of families, it is impossible to collect high financial penalties.

The main reason for a low percentage of filed misdemeanor charges, as stated by the Police, is inadequate legal solution, because beggary as such is not sanctioned.³⁸

- **Material equipment and personnel** – authorities and agencies expressed satisfaction regarding existing personnel engaged, but they deem that a lack of material funds prevents them from efficient and systematic response to this phenomenon.

32 Special report on child begging in Montenegro, Ombudsman, Podgorica, 2011, available at: http://www.ombudsman.co.me/img-publications/11/naucimo_ih_nesto_drugo.pdf

33 Ibid, page 47

34 Ibid, page 18

35 Ibid, page 19

36 Ibid, pages 21 and 48

37 Ibid, page 48

38 Ibid, page 25. Additionally, statistically presented: 13% of responses from the Police show that legal solutions are an efficient means, 50% responses state that legal solutions are not efficient means, while 25% of responses to this question is lacking

- **Absence of systemized record of children engaged in beggary** – Ombudsman concludes that there is a very poor exchange of information between social stakeholders, and records on this issue are not available or usable to wider range of professionals. Beggary is often registered and equalized with delinquency.³⁹
- **The lack of cooperation and coordination between stakeholders and authorities at all levels**

Centers for social care have the practice to work only with domicile population.

Unsatisfactory cooperation between **educational institutions and centers for social care** (they rarely inform on frequent absence of children from schooling).

Discrepancy of registering mechanisms. Police work is mostly oriented towards revealing of child's identity and identity of persons who accompanied the children to Montenegrin territory, without dealing with register of juvenile beggary. Example supporting this claim – Centers for social care from Berane and Andrijevica registered 56 cases of beggary in 2010, while Organizational police units in these municipalities haven't recorded a single one.⁴⁰

2.3. Recommendations⁴¹

Ombudsman deems that a **multidisciplinary approach would contribute greatly to suppression** of this problem, where local-self governances should have much more active role. It is necessary to establish cooperation between relevant authorities and NGO sector, through joint activities, support and programmes that provided good results (for example: Roma assistant in community, Shelters for homeless people, etc.)⁴²

Ombudsman of Montenegro recommends the following to all relevant social stakeholders, competent institutions, agencies and organizations:

2.3.1 Ministry of Internal Affairs and Ministry of labour and social care:

To determine the causes leading to juvenile beggary and to take prevention measures for children at risk;

To introduce the multidisciplinary approach for solving and suppression of juvenile beggary issue;

To initiate establishing of regional cooperation with authorities of neighbouring countries with the aim of establishing of mechanisms for more efficient flow of information, as well as detecting and continuous monitoring of children engaged in beggary;

39 Ibid, page 47

40 Ibid, page 48

41 Ibid, page 50

42 Ibid, page 48

To establish registry system for children who live at street and/or deal with beggary, through cooperation of Centers for social care, Police Directorate, schools, healthcare institutions and other institutions dealing with this issue;

2.3.2. Ministry of labour and social care

To introduce various services of social care through reform of social care, pursuant to international standards;

To take measures in the aim of improvement of life standards of families who live underneath poverty line;

To enable conditions for consistent implementation of law, especially through strengthening of the role of Center for social care by provision of efficient family-legal protection and monitoring of exertion of parental rights;

2.3.3. Ministry of education and science

To strengthen efforts on integration of Roma, Ashkali and Egyptian children into general education system by better education of teachers, review of curricula and appropriate methods of teaching and learning, and through intensified education and participation of parents;⁴³

2.3.4. Ministry of justice, Ministry of labour and social care, Ministry of Internal Affairs

To review the possibility of initiating a change in existing legal regulations aimed at increasing of degree of protection of children against all forms of economical exploitation;

To take measures of raising awareness among wider public on harmful effects of beggary and to provide accessibility of information, primarily to children who live on streets, in order to protect them from a risk of becoming the victims of human trafficking and economical and social exploitation.

2.3.5 It is concluded that the biggest problems⁴⁴ which need to be addressed further are **systematized records of children engaged in beggary, and the type of **treatment of these children** (behavioral disorder, delinquents or victims of neglect and abuse) that make this problem even more complex and difficult to solve. Also, it emphasized the need to work on identifying the causes of begging, but also on elimination of faults in **mechanisms of reintegration and resocialization of children** caught begging.**

43 Ibid, page 50

44 Available at: http://www.ombudsman.co.me/img-publications/15/110420133_kompilacija_izvjestaja%20konacna.pdf

APPENDIX 3

Excerpt from report by international organizations

3.1. Department of State, United States of America, Trafficking in Persons Report, 2017

In the Report on human trafficking for 2017, United States Department of State finds that Montenegro is still the country of origin, transit and destination for men, women and children victims of human trafficking in the aim of sexual exploitation and forced labour. **Children**, mostly Roma and Albanians are subject to forced **beggary**.⁴⁵

Depending on a level of successful implementation of *Trafficking victims' protection act of 2000*⁴⁶ states are divided into four categories: TIER1, TIER2, TIER 2 watch list and TIER3, starting from those most efficient in implementation, up-to those who did not do much in this field, and do even less to change the actual situation.

For the first time, Montenegro is degraded and placed among countries (from TIER 2 to **TIER2 watch list** category) which do not entirely comply with TVPA

„Human trafficking, apart from forced prostitution, involves forced labour, inducement to beggary, trafficking in human organs, false adoption, forced marriage, forced participation in criminal activities, etc.“

minimum standards and it is emphasized that „Government has not shown significant efforts to synchronize and coordinate them with recommended ones“. In the past three years, the Government has gradually been degraded from a very good mark in **Report**

from 2015 to the assessment in **2016 Report** that has allocated Montenegro among those countries which do not provide enough efforts, while **2017 Report** states that „Government has reduced its efforts in providing the protection“.⁴⁷

To be more precise, the 2016 Report points out that the state authorities have not formally identified victims of forced labour in 2015, despite the fact that Police identified **156 children** who **were engaged in beggary** in 2014, and one year after it happened that only **one potential victim of human trafficking**⁴⁸ was identified – *a child forced to beg*, compared to 16 potential victims in 2015.

When speaking of this document, apart from above mentioned positioning of Montenegro which is, based on all applicable criteria, facing further deterioration, it is very important to put an emphasis on the very definition of **forced child labour**⁴⁹ that significantly differs from actual situation, and the manner in which it is defined by institutions of Montenegrin system. Namely, Montenegrin legislation **does not recognize child beggary** as a specially defined legal concept. A term „beggary“ is not clearly defined and a phenomenon of child begging is not separated

45 Available at: <https://www.state.gov/documents/organization/271339.pdf>, page 289

46 Trafficking Victims Protection Act of 2000, Div.A of Pub. L. No. 106-386, § 108, as amended

47 Available at: <https://www.state.gov/documents/organization/271339.pdf>, page 288

48 Available at: <https://www.state.gov/documents/organization/271339.pdf>, page 288

49 Available at: <https://www.state.gov/documents/organization/271339.pdf>, page 17

from adult begging. In the **State Department Report on human rights for Montenegro** for 2016, it is explicitly stated that „law bans all types of forced and coercive labour, but implementation of law by the Government was not efficient“.⁵⁰ Additionally, Report states that „Police claimed that beggary is **more of a family practice**, rather than large organized activity and most of children engaged in beggary come from Kosovo and Serbia“.⁵¹

Recommendations: Significantly increase the identification of potential victims, especially among children who are forced into **beggary**; involve groups from civil society and NGOs in national mechanisms for the treatment of victims; continue to train law enforcement and judiciary law enforcement officers who are focused on the victims and to encourage meaningful efforts for **integration of Roma groups** into the decision-making process regarding protection of victims.

Prevention: Government has continued with efforts in the field of prevention through the implementation of Strategy for fight against human trafficking for the period 2012-2018, through adoption of Action plan for 2017 – 2018.⁵² The Government, as stated in Report, has conducted numerous seminars and joint trainings for multidisciplinary approach in fight against human trafficking with all institutions whose activity is closely related to problem solving and special training for labour inspectors. However, besides all efforts, inspectors have not detected a single case of forced labour within reporting period, hence the Report, once again, denotes Government’s efforts in this field as negative.

3.2. European Commission report, 2016

In its report on Montenegro, published on November 9. 2016, forming a part of report to European parliament, Council of Europe, European economic and social Council and Regional Council for EU enlargement policy, European Commission states that child labour force still represents a **problem** in Montenegro, especially **child begging**.⁵³

3.3. Amnesty International Report 2015/2016; the state of the world’s human rights

The issue of **beggary is not in the focus of the Report**, but the position of Roma population in Montenegro. Unlike report from 2014/15⁵⁴, it is stated that a progress was made in terms of obtaining the legal status of 1,107 Roma, Ashkali and Egyptians displaced from Kosovo, as well as in acquiring an adequate living conditions for 48 families who have lived in camp Konik since 1999.⁵⁵

3.4. Finding on the Worst Forms of child Labor 2016, Report of USA Ministry of Labour

The Finding states that the Government has established institutional mechanisms for implementation of laws and regulations on child labour, including its worst forms. However, it is noted that shortcomings and faults related to labour law and implementation

50 Available at: <https://me.usembassy.gov/wp-content/uploads/sites/250/2017/03/Izvjestaj-o-ljudskim-pravima-za-Crnu-Goru-za-2016.-godinu-.pdf>, page 34

51 Ibid, page 35

52 Document on new Action plan, available at: <http://www.antitrafficking.gov.me/rubrike/akcioni-plan/169726/Vlada-usvojila.html>

53 COMMISSION STAFF WORKING DOCUMENT Montenegro 2016 Report {COM(2016) 715 final}, page 50, available at: <http://mep.c-g.me/en/2016-progress-report-montenegro/>

54 Available at: <https://www.amnesty.org/download/Documents/POL1000012015ENGLISH.PDF>, page 255

55 Available at: file:///C:/Users/Win7/Downloads/POL1025522016ENGLISH.PDF, page 256

of criminal code⁵⁶ were detected, as well as a problem of inability to determine whether National action plan for children and Strategy for development of system for social and child protection are active and efficient. In 2016,⁵⁷ the Government did not include the Strategy for prevention and elimination of child labour into the Strategy for development of system for social and child protection.

Furthermore, the Finding thoroughly presents efficacy of implementation/application of **law on labour** regarding child labour, presenting also contribution of Labour inspection in this field, whose activities, according to the Government's evaluation, is described as „sufficient“, especially in the sense of charging penalties in cases of child labour breach, with 12 cases. The critique is, however, directed towards the Government due to inefficiency of data, based on children who were engaged in beggary, where was noted that there is a lack of gathered and published data on the worst cases of child labour.

When speaking of implementation of criminal code, it is stated that 74 investigations were initiated in 2016 regarding beggary, involving 230 persons, out of whom 75 were minors. It is further stated that police referred 45 minors to Centers for social care.⁵⁸ Also, this part places accent on the need for **continuous training for identification of victims** for Police, Judiciary and Prosecutors. Montenegro faces a lack of existence of specialized services for reintegration into society.

Recommendations: Gathering of data on children involved in the worst cases of child labour in order to improve ability of policy makers to identify and address this issues more directly. Making sure that systems of social and child care are active.⁵⁹

3.5. Report of the Working Group on the Universal Periodic Review 2013⁶⁰

The Report mentions no beggary, but a large number of countries commented on the position of Roma, Ashkali and Egyptians in Montenegro,⁶¹ and children's rights⁶² that should be protected in the much greater measure.

General points in Report: Montenegro worked on implementation of activities for efficient fight against human trafficking. The Government passed **Strategy for fight against human trafficking for the period 2012-2018** and education; aid to victims; protection and reintegration; coordination; international cooperation and identification of trafficking victims.⁶³ Speaking of position of Roma, the USA emphasizes a need for removal of plan for inclusion which features faults in formal implementation.⁶⁴ Germany expresses concern regarding illegal registration of Roma, Ashkali and Egyptians, and demanded additional information on legal status, employment and social integration of these communities.⁶⁵ A similar request is sent by Austria, Algeria and other already mentioned countries.

56 Available at: <https://www.dol.gov/sites/default/files/documents/ilab/reports/child-labor/findings/TDABook.pdf>, page 688

57 Ibid, page 690

58 Available at: <https://www.dol.gov/sites/default/files/documents/ilab/reports/child-labor/findings/TDABook.pdf>, page 689

59 Available at: <https://www.dol.gov/sites/default/files/documents/ilab/reports/child-labor/findings/TDABook.pdf>, page 691

60 United Nations General Assembly, HRC, Universal Periodic Review, Twenty-third session, GE. 13- 12470

61 USA, Germany, Austria, Canada, Morocco, Algeria

62 UAE, Bulgaria

63 Short overview of proceeding in course of revision, country presentation, page 5

64 Ibid, page 7

65 Ibid, page 7

APPENDIX 4

Action plan for implementation of Strategy to fight human trafficking for 2017 - 2018:⁶⁶

Realization of activities planned by this document will, inter alia, provide better informing of entire public, especially of sensitive population categories (youth, **children beggars**, children without parental care) on mechanisms of fight against human trafficking in Montenegro and strengthen their resilience to fight against potential challenges.

Operational goal 1.2. Sensibilization of social and medical workers for active participation in prevention activities, identification, aid and protection of human trafficking victims:

Activity 1.2.2. Accreditation of programme »Strengthening of institutional capacities for fight against child trafficking, forced child marriages and **forced beggary**« with Institute for child and social protection, Office for fight against human trafficking, Institute for child and social care and protection, Ministry of labour and social care.

Operational goal 1.4. Sensibilization of education workers on specificities of transfer of knowledge on human trafficking and curricular and extra-curricular activities:

Activity 1.4.2. Training of teachers on the topic “Fight against human trafficking, early forced marriages and **forced beggary**” based on programme accredited by Institute for education.

APPENDIX 5

Short overview of relevant documents for 2017

5.1. Strategy for prevention and protection of children against violence, with Action plan 2017-2021

For children victims of abuse and neglect, the Strategy proposes counseling treatments within Center for mental health. Furthermore, the Strategy places emphasis on significance of early identification and detection of this issue.

Some of the recommendations: Improvement of service working on protection of children (newly formed [Directorate for protection of children within Ministry of labour and social care](#) – up to 2018). Secondly, the Strategy envisages [founding of National Children’s home for children victims of violence](#) – up to 2020. Additionally, a large amount of money will be spent on [strengthening of Police Directorate and judiciary system](#) for protection of children, all pursuant to „measure of a child“.⁶⁷

5.2. CEDEM: Child begging in Montenegro – overview of legislation and practice, with recommendations for improvement of fight against economical exploitation of children⁶⁸

According to a data from the Office for fight against human trafficking, by the implementation of activity named „Beggars“ in 2016, the following results were achieved: a total number of performed actions: 60, a total number of checked persons 152 –out of which 70 children, a number of motions for initiating a misdemeanor proceeding: 26. 226 persons were controlled, out of which 63 children were caught begging.⁶⁹

„Human trafficking, apart from forced prostitution, involves forced labour, inducement to beggary, trafficking in human organs, false adoption, forced marriage, forced participation in criminal activities, etc.“

In the Report, it was emphasized that a list of indicators for identifying victims of human trafficking distributed to all relevant bodies is of a high importance. Also, there is a need for greater involvement of all relevant bodies in registering persons caught begging, without mere referral and plain forwarding to Office for fight against human trafficking, and a need for more synchronized approach that would be oriented towards complete and coherent application of valid legal regulations, especially in the sense of detection and sanctioning of perpetrators, together with further monitoring of victim’s condition after experiencing human trafficking.

5.3. Local programme for prevention of unacceptable behaviour of children and youth in the capital - Podgorica 2014- 2018⁷⁰

This document envisages prevention and control of beggary in the following manner: 1. By forming a team for monitoring of beggary, at a local level; 2. System for registration of children (living) on streets or engaged in beggary should be established in Centers for social work in cooperation with Police Directorate, schools, healthcare institutions and other agencies and organizations.

67 Available at: <http://www.mrs.gov.me/ResourceManager/FileDownload.aspx?rid=274449&rType=2&file=Strategija%20za%20prevenciju%20i%20za%C5%A1titu%20djece%20od%20nasilja%20sa%20AP%202017-2021-%20April%202017.docx>

68 Survey available at: http://www.cedem.me/images/jDownloads_new/Izdavstvo/Studija_2017.pdf

69 Available at: http://www.cedem.me/images/jDownloads_new/Izdavstvo/Studija_2017.pdf, page 20

70 The capital - Podgorica, NGO „Djeca prije svega“, Center for children’s rights

ANNEX I

The List of institutions/organizations that took part in group interviews

Red Cross of Montenegro in Podgorica, Bijelo Polje, Bar, Nikšić, Berane
 Center for social care in Podgorica, Bijelo Polje, Berane
 Center for children's rights, Montenegro
 Ministry of Interior Affairs in Bijelo Polje, Bar, Nikšić, Berane
 Ministry for human and minority rights
 Basic state prosecution in Bar, Kotor, Nikšić, Berane
 Elementary and high schools in Podgorica, Tivat, Bar and Berane
 Ombudsman of Montenegro
 Office for fight against human trafficking
 Municipality Bijelo Polje
 Municipality Berane
 NGO „Bjelopoljski demokratski centar“
 NGO „Crnogorski ženski lobi“
 NGO „Centar za Romske inicijative“
 NGO „Civilna inicijativa“
 NGO „Udruženje Egipćana“
 NGO „Mladi Romi“
 NGO „Romski krug“
 NGO „Ruža“
 NGO „Vijeće Egipćana i Roma“
 NGO „Dnevni centar za djecu i porodicu – Defendologija“
 NGO „SOS telefon za žene i djecu žrtve nasilja - Nikšić“
 NGO „Romsko srce“
 NGO „Romski savjet“
 NGO „E-Roma“

