

**Question for written answer E-002721/2012
to the Commission**
Rule 117
Nadja Hirsch (ALDE) and Edit Bauer (PPE)

Subject: The use of children for begging

Across Europe children are still compelled to beg as a ploy to solicit public pity and are exploited for begging. The use of children for begging – whether the child appears to be accompanied by a ‘parent’ or not – is a denial of their fundamental rights, such as the right to protection, integrity and dignity. Moreover, children forced into begging are deprived of their childhood, their potential for positive development and their education. Affirming that destitute families should be permitted to use their own children for begging sends the wrong signal to would-be perpetrators and seriously hampers effective EU child protection and anti-trafficking strategies. It also ignores Member States’ interdependent legally binding treaty obligations to guarantee without discrimination indivisible basic human rights to all persons under EU jurisdiction, especially families with children.

The UN Committee on the Rights of the Child – which monitors and guarantees appropriate interpretation and effective implementation of the Convention on the Rights of the Child, ratified by all 27 EU Member States – recently expressed its concern in relation to a judgment given in Belgium¹ stating that *‘[l]e parent qui utilise son propre enfant pour mendier ne commet pas une infraction, le législateur considérant que la réponse à de tels faits ne doit pas être de nature pénale’* (a parent who uses his or her own child for the purpose of begging is not committing an offence, the legislator being of the view that the response to such acts should not be a matter for criminal law’). The UN Committee stated in its ad hoc ‘Concluding Observations’ for Belgium: ‘The Committee calls upon the State party to expressly ban the use of children for begging on the streets whether or not the adults concerned involved are parents’².

What concrete measures will the Commission take to ensure that Member States implement the UN Convention on the Rights of the Child as interpreted by the UN Committee recommendations, and in particular that the use of children for the purpose of begging – whether accompanied by their parents or not – is expressly prohibited in all 27 Member States?

What is the present legal status of begging children accompanied by their parents in the 27 Member States? What is the present legal status of begging children who are not accompanied by their parents in the 27 Member States and how far are Member States’ national legislations already in conformity with new EU anti-trafficking child victim protection provisions regarding exploitation for ‘forced labour and services, including begging’, inter alia Article 2(3) and Recital 11 of Directive 2011/36/EU of the EP and of the Council of 5 April 2011³?

¹ Cour d’Appel de Bruxelles, 14ème Chambre, Arrêt No. 747, 26 May 2010.

² CRC/C/BEL/CO/3-4, 18 June 2010, Special Measures of Protection, paragraphs 72-73.

³ OJ L 101, 15.4.2011, p. 1.