

**ANNEXE**

**Overview of the situation in relation to begging in EU Member States**

In the *Lăcătuș v. Switzerland* ruling the European Court of Human Rights carried out a comparative law analysis of the legislation on begging of 38 Council of Europe Member states<sup>1</sup>, including all 25 EU Member States with Malta and Denmark missing in the review. For the scope of this article, we asked our legal practitioners in the different EU Member States to complete this picture. Hereafter a short overview of the measures penalising banning adopted by the EU Member States.

<b>Legal measures on begging</b>	
Begging as such is not prohibited neither in national nor in local legislation.	Finland, Greece, Portugal and Slovakia (with some exceptions: in Portugal begging with children is criminalised).
Explicit bans of begging or some forms of it in their national legislation are in place.	Cyprus, Croatia, Estonia, France, Hungary, Ireland, Italy, Luxembourg, Poland, Romania, Slovenia and UK.
Local or national bans are in place. They target specific conditions under which begging is generally forbidden: begging with children, and, what is deemed 'aggressive' begging, or begging with a 'dangerous' animals.	Estonia, Ireland, Italy, France, and Slovenia.
Begging is solely prohibited at the local level.	Cities in Austria, Belgium, Czech Republic, Germany, Latvia, Lithuania (only aggressive begging), Netherlands, Spain and Sweden.
<b>Sanctions</b>	
Begging constitutes an offence against public order and tranquillity contravention or an offence.	Croatia and Poland.

<sup>1</sup> European Court of Human Rights, *Lăcătuș v. Switzerland*, Application No. 14065/15, ECtHR 19 January 2021, available here: [https://hudoc.echr.coe.int/fre#{%22itemid%22:\[%22003-6910043-9279633%22\]}](https://hudoc.echr.coe.int/fre#{%22itemid%22:[%22003-6910043-9279633%22]}), p. 11- 12

Begging or some forms of begging are criminalised, and sanctions are foreseen in the criminal code.	France, Cyprus and Italy. <sup>2</sup>
Administrative sanctions in case of violation of the ban of begging	Czech Republic.
Oral warning and/or a fine of varying amounts	Belgium, Czech Republic Poland, Latvia, Lithuania, France, Ireland, Romania, Sweden, Spain, Slovenia and the United Kingdom.
Different forms of imprisonment or freedom deprivation are possible.	Hungary, Cyprus, Poland and Croatia. Community service (e.g. in Hungary), confiscation of (e.g. Hungary), or limitation of freedom (e.g. Poland).

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<sup>2</sup> Article 312-12-1 of the French Penal Code, Article 188 of the Cypriot Penal Code Article 188 of the Cypriot Criminal Code or Article 119-bis of the Italian Criminal Code.