



## BC RESEARCH PROJECTS

### Family Control and Juvenile Delinquency in the Balkans: A Regional Comparative Analysis based on the ISRD3 Study Findings

*Reana Bezić & Anna-Maria Getoš Kalac*

The concept of juvenile delinquency has, through history, undergone a complex development. Even though it has long ago been recognized that juveniles should be treated differently, both as perpetrators and as victims, juvenile delinquency, as we know today, is a relatively new concept. That is why empirical field research into the phenomenology and etiology of juvenile, but also child delinquency, is still needed, especially in the Balkan region. Here the main sources of information on juvenile delinquency have until now usually been official crime statistics, which of course come with lots of shortcomings and thus bear no information on child delinquency (due to lacking criminal responsibility). But after the implementation of the ISRD Study (International Self-Report Delinquency Study)<sup>1</sup> we are now able to explore juvenile and child delinquency not only based on empirical findings but also in a regionally comparable manner.

This MPPG research project aims at identifying differences among 5 countries of the region (Bosnia and Herzegovina, Croatia, Macedonia, Kosovo and Serbia) while of course obtaining detailed insight into the phenomenology of juvenile delinquency in the Balkans. The added value of this project is explaining the prevalence of juvenile delinquency in the Balkans, by focusing on informal control theory, which is based on Hirschi's social control theory (1969). The essence of informal social control is the extent to which juveniles are linked to family, and at the end to society, through bonds of attachment, and through direct control, such as clearly established rules, supervision, and punishment (Sampson & Laub 1994).

For better understanding and advancing the knowledge about crime causation of juvenile and child delinquency, this regional comparative approach will provide comparison between countries with more

similarities than differences. History, culture, similar patterns of perception and behaviour, instability and lack of criminological research, these are only some of the reasons for conducting this regional comparative analysis among Balkan countries. One of the reasons was also the fact that the ISRD2 Study found that "lifetime" and "last year" delinquent rates are highest in Anglo-Saxon and Western European countries, and lowest in Post-Socialist countries, which include Balkan countries, as well as in four Latin American countries (Junger-Tas et al. 2012, 91). The project will examine the factors influencing these lower rates of juvenile and child delinquency.

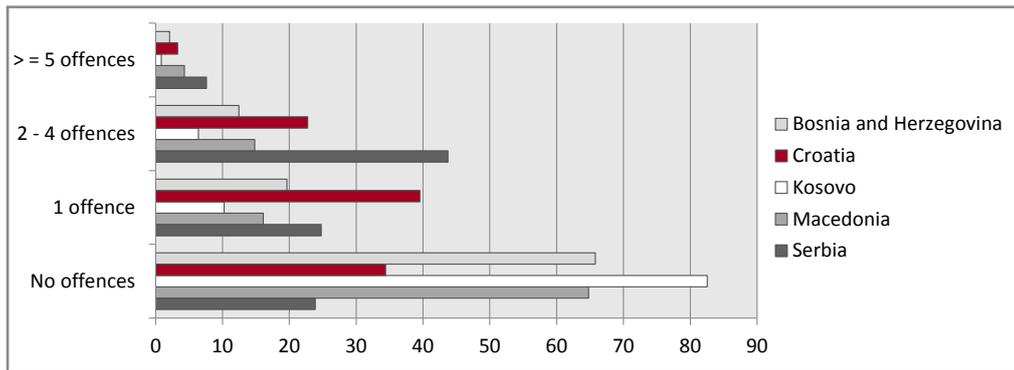
The results of this research project are based on the international ISRD Study. It is an ongoing research study on delinquency, victimisation, and substance use among 7th, 8th and 9th graders. ISRD3 is the third edition of the international data collection; it started in 2013 and it is currently still ongoing, with about 50 partners across the globe. The project focuses on all those Balkan countries that are participating in the ISRD3 Study, and for which the data are available; namely, Bosnia and Herzegovina, Croatia<sup>2</sup>, Macedonia, Kosovo and Serbia.

The figure below illustrates significant differences in the lifetime versatility of delinquent acts among the countries. Lifetime versatility shows how many different acts young people aged 12-16 had committed during their lifetime. In terms of the number of different delinquent acts committed, the highest versatility, both for two to four and for five or more offences, occurs in Serbia. If we consider the commis-

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**Lifetime versatility of delinquent acts in five Balkan countries**



sion of only one offence as relatively non-serious and count them together with those who haven't reported any offence, these groups are larger than the groups of those who have reported the commission of 2 or more different offending acts in all countries except Serbia. Croatia and Serbia are the countries which have less 'no offence' entries than 'one offence' entries. If we look separately at these four groups of versatility of delinquent acts, the results differ substantially among countries. Croatia has one offence, and Serbia has two to four offences as most reported group, unlike Bosnia and Herzegovina, Kosovo and Macedonia which have no offences as most reported group. Although higher versatility may be related to the commission of non-serious offences, such as graffiti, vandalism, illegal downloading, or group fight, it is expected (as well as being explored in this project) that this last group will include the most active delinquents. In this last group the highest versatility is in Serbia, followed by Croatia and Macedonia.

It is essentially the bonds that persons have with society that determine whether they will respect society's behavioural norms and values (Matza, 1964). Social integration takes place through two processes: by rewarding conforming behaviour (Briar and Piliavin, 1965), and by sanctioning non-conforming behaviour. This is mostly preformed in family and school. The main assumption is that, if persons who have good relationships with parents, perform well at school, as well as in other activities, then they have much to lose by offending. These elements were put together into a

consistent theory by Hirschi (1969), stating that the more bonds a person has with society, the less he will be inclined to transgress legal norms and to commit delinquent acts. The research project focuses on family, which regardless of the multiple theories concerning etiology or genesis of criminal behaviour in the

case of juveniles, always plays a central role. Hirschi stated that young people who have strong bonds with their parents would not take a risk to lose them. As a result they would follow the rules of the society. According to this we analyse the connection between family control and juvenile delinquency. The measurement of control is based on the subjective perception by the juveniles. The scale has three dimensions: the first one is parent knowledge about where their children are, what they are doing, and which friends they are staying with. The second is parental supervision over the children, and the third one is child disclosure to parents. The table below shows a strong relation between family control and delinquency. Where the family control is weak, 81 % of juveniles reported offending, while in the case of strong control this is true only for 11 %. Taking fre-

**Family control and juvenile delinquency**

	Family control				
	weak		strong		
	1	2	3	4	5
	(N=105)	(N=594)	(N=2,353)	(N=4,433)	(N=705)
<b>Percentage of juveniles who have reported offending</b>	<b>81 %</b>	<b>80 %</b>	<b>65 %</b>	<b>35 %</b>	<b>11 %</b>

quency into account, the stronger the control, the lower the number of juveniles reported offending. It can be concluded that strong family control decrease juvenile delinquency in the Balkans.

Further findings from the ongoing analyses of the influence of family control through other indicators such as family unemployment, religion, performance in school, etc., on juvenile delinquency will be pre-

sented at the 16th Annual Conference of the ESC in Münster, Germany, from 21 to 24 September 2016 (see below, page 9).

## Notes

- 1 For more information on the International Self-Report Delinquency Study, see [www.northeastern.edu/isrd/croatia/](http://www.northeastern.edu/isrd/croatia/)
- 2 For more information on MPPG's ISRD3 project, see [balkan-criminology.eu/en/projects/juvenile\\_delinquency/](http://balkan-criminology.eu/en/projects/juvenile_delinquency/)

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## NEWS FROM BC PARTNERS

### Romanian Constitutional Court Ruling on Misconduct in Office

*Andra-Roxana Trandafir*

Since the entry into force of the new Romanian Criminal Code and the new Criminal Procedure Code in 2014, the Constitutional Court has been busy with various claims regarding the constitutionality of legal provisions contained in these instruments. More than 20 articles have already been declared unconstitutional, mostly those regarding criminal procedure. In response, the government intervened and massively modified both the Criminal Code and Criminal Procedure Code through an ordinance in May 2016.

One of the latest decisions of the Constitutional Court, issued on June 15, 2016, concerns misconduct in office (art. 297 of the Criminal Code – *abuz în serviciu*, in Romanian). The decision came after many years in which the Romanian courts have had to deal with numerous cases involving this crime, including crimes committed in the private sector (according to art. 308 of the Criminal Code).

Briefly, the ruling of the Constitutional Court states that not every breach of duty while at work leads to the perpetration of the official misconduct, but only those which also represent a breach of the law. Practically, this means that a breach of duties established by the employer (especially a private one), like the internal regulations of each company, shall represent only a disciplinary misconduct, and not a criminal one. In reaching this decision, the Court had in mind that the criminal law should only be an *ultima ratio* and that a disciplinary or even a civil action can be more appropriate when the misconduct does not breach the law.

The decision is mandatory for all jurisdictions as of the date when it was published in the Official Journal (July 6, 2016). Its effects will bear on thousands of pending cases in Romania.

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## 6th Pécs Summer Course in Criminology: Criminology of Terrorism, 29 May – 3 June 2016

*Filip Vojta*

From 29 May to 3 June 2016, the 6th Pécs Summer Course in Criminology, organized as a cooperation between the University of Pécs, Hungary, and the Max Planck Institute for Foreign and International Criminal Law (MPICC), Freiburg, Germany, was held at the premises of the Pécs Faculty of Law. The summer course, traditionally held biennially, is open to students, post graduates, academics and

After welcoming words by one the course directors, Prof. Dr. László Korinek (University of Pécs), and introduction of the participants, the course was officially opened by Prof. Dr. Hans-Jörg Albrecht (Director at the MPICC, Freiburg). In his introductory lecture, Albrecht presented both a historical development of terrorism and a detailed overview of the state of the art in the criminology of terrorism. By providing insights into some of the most urgent research questions, i.e., touching upon



Filip Vojta



Wine-tasting at Villánykövesd

practitioners coming from Hungary as well as the entire Balkan region. This year's edition, entitled "Criminology of Terrorism", featured a predominant number of attendees coming from Hungarian judicial practice, who took a great interest in the general theme of the course, not least due to its contemporary significance, particularly when placed in the context of the recent European migrant crisis as well as the atrocious terrorist attacks in Paris and Brussels that have subsequently been connected to it. Given that during the migrant crisis Hungary itself came under the public spotlight because of much contested exclusionary policy towards immigrants, it seemed to be a prime time for the course participants to shed light on the terrorist phenomena, to clarify misconceptions and place findings into an appropriate socio-legal context. In particular, one of the aims of the course was to offer ruminations on how criminological knowledge can be used to underpin appropriate risk assessments of terrorism as well as how to legitimately respond to these risks.

trends in terrorist activity, macro and micro etiology of terrorism, terrorism prognosis and prevention, he also provided a framework within which the upcoming presentations were observed and discussed.

The presentation by Prof. Dr. Gunda Wößner (Police Academy Baden-Württemberg, Villingen-Schwenningen) discussed micro-etiological factors which contribute to radicalization and recruitment of terrorists. In particular, she gave a comprehensive overview of established models of radicalization that should serve as a useful analytical tool for these factors and their interchanging dynamics. Additionally, Wößner presented a theoretical framework commonly used to explain terrorist radicalization.

Theoretical conceptualizations were further broadened in the first presentation of the second day, by Prof. Dr. Rita Haverkamp (University of Tübingen). Besides discussing how the anarchist theory, politi-

cal theory of fascism, rational choice theory and the general strain theory can be utilized to understand the phenomenon of terrorism, Haverkamp went further to delineate distinctions between terrorism, conventional war and guerilla warfare. Here, she stressed the problem that arises is how to legitimately distinguish and define terrorism, especially with the emergence of new phenomena such as the Islamic State. The presentation instigated a lively discussion among participants on the nature, characteristics and modus operandi of the Islamic State, which, in turn, provided a useful introduction to the next presentation on Eastern European foreign fighters in Syria.

Dr. Szilvester Póczik (National Institute for Criminology – OKRI, Budapest) discussed the historical emergence of Islam in Europe and how these developments resonate with current demographic developments in Europe



and Eastern European countries in particular. Dr. Póczik further analyzed the “push and pull” factors that might prompt – particularly young – Muslims from these countries to join the ongoing conflict in Syria.

For the final presentation of the day, Dr. Michael Kilchling (MPICC, Freiburg) gave a comprehensive overview of normative instruments on the level of the United Nations, Council of Europe and the European Union that are being used to counter terrorism. Practical implementation of these measures and their preemptive, repressive and preventive effects were of particular interest to the practitioners in the audience.

During the third day, foreign fighters and so-called “traveling jihadis” were once again focused on. Prof. Albrecht gave a statistical overview of foreign fighters from Germany to Syria, which was supplemented by the presentation of political implications which the foreign fighter phenomenon poses. By further discussing the etiology of foreign fighters, Albrecht discussed correlations with available means of penal reaction. Rather than concluding with the assessment of the means, he opened questions for further discussion, i.e., on the prospect of further radicalization and dissemination of extreme ideologies among foreign fighters, as well as on further potential they hold

for terrorist activities. Some of the questions were also touched upon in the subsequent presentation by Dr. Wiebke Steffen (scientific consultant of the German Congress on Crime Prevention, Hannover) who, in addressing the problem of Salafi radicalization in Germany, went beyond the penal approach to examine implications that a wider, more therapeutic approach offered by the state and the immediate community might have on the prevention of radicalization of individuals.

In the first presentation of the last conference day, Dr. Kilchling introduced the participants to the penitentiary regulations that apply to terrorists in German prisons. In the subsequent discussion, participants were especially interested to compare these provisions

with the Hungarian penitentiary law as well as how these provisions resonate with recent human rights developments on

the broader European level.

In the closing presentation, Filip Vojta (MPICC, Freiburg; Max Planck Partner Group for Balkan Criminology) analyzed the causes and nature of ethno-nationalist polarization among the Balkan countries, particularly those of the former Yugoslavia, and discussed the risk of its escalation in the form of hate crimes and/or terrorist violence. With reference to some of the concepts discussed during the previous presentations, Vojta proposed a multi-level model for countering the intensification of such polarization within a post-conflict society.

Following the official end of the course program, the participants shared their unanimously positive impressions and agreed on the success of the conference. For those coming from practice, it was particularly interesting to learn about broader criminological concepts that explain terrorism as well as about the extent to which they underpin normative provisions to counter terrorism. The discussion also revolved around a possible theme for the next summer course, which will be held in 2018.

It is important to mention that, besides an interesting academic program, this year’s course held a particu-

lar appeal for participants as it coincided with the beginning of festivities in honor of the University of Pécs's 650 year jubilee, coming in 2017. The University of Pécs, founded in 1367 by King Louis the Great, is the first university in Hungary and the biggest employer in the city, playing a vital role in every intellectual area of the region. The jubilee festivities attracted many renowned academics, practitioners and politicians from across Hungary and, in addition to offering a multitude of networking opportunities, also included a wide-ranging cultural program. Furthermore, the participants of the summer course also had an opportunity to enjoy the traditional guided tour of Pécs, as well as to visit one

of the famous wine cellars in the neighboring town of Villány, where wine tasting with dinner was offered.

For all information regarding the next course in 2018, those interested are welcome to contact the organizers, Dr. Michael Kilchling (m.kilchling@mpicc.de) and Dr. László Kőhalmi (kohalmi.laszlo@ajk.pte.hu).

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## Women behind Bars in Greece

*Effi Lambropoulou*

This short overview refers to a study about the circumstances of female prisoners in Greece after 1980 and the next decades, taking into account the UN Bangkok Rules of 2010.

According to our findings, women have slightly higher crime rates at younger ages than in the past, and generally the type of crimes they commit has changed. Offences against the public welfare ('common dangerous crimes'), public order offences and violations of drug legislation are the top three crimes for which women are imprisoned. A similar trend is found on the rates of female prisoners in relation to the total pris-on population which increase from 3.1% in 1990 to 6.9% in 2000, to follow afterwards a downward trend ranging from 6.7% to 4.6% in 2014 (stock – 222 women in pre-trial and trial detention, 465 convicted).

As for the prison organisation and living conditions of female prisoners, the main problems are the unequal division of personnel in the two women's prisons, the chronic understaffing of specialised and healthcare personnel, the poor training and pessimistic attitudes of prison officers, and the inadequate operation of training and education programmes connected to the prisoners' reintegration.

Special emphasis should be given by the authorities to HIV prevention treatment and care, as well as to preventive health care education and information of prisoners and, in particular, information by the admission staff relative to the dangers of denying health screenings. In addition, regular tests for infectious diseases should be integrated into the routine of prison life and a unit for detoxification of substance abusers should be added to the existing unit for males.

However, the greatest challenge in today's correctional facilities is security and the prevalence of narcotics in prison. Therefore, advanced security systems, as well as discreet surveillance and body scanning are absolutely necessary to prevent contraband and to help secure correctional facilities in the already overcrowded prison system in Greece.

Prison authorities and the Ministry of Justice are aware of the gender specific issues and are sensitive to these. What is missing is a radical reform of prison management and modernisation in the whole correctional system of the country without abandoning its leniency and boosting the confidence of the staff in order to help them support the prisoners.

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## Violence against Women and Domestic Violence must be Punished

Vesna Ratković

The Council of Europe Convention on prevention and combating violence against women and domestic violence, the so-called “Istanbul” Convention, presents the most comprehensive and obligatory international treaty in this area. The Istanbul Convention was preceded by many years of advocacy, especially by NGOs, which are active in the promotion and protection of women’s rights.<sup>1</sup>

The Convention was adopted by the Council of Europe in 2011, and it entered into force on 1 August, 2014. Latvia became the 42nd member state of the Council of Europe to sign the Istanbul Convention. At present, 22 states have ratified the Convention (the last being Romania, which ratified it on 23 May, 2016).

The Group of Experts on action against Violence against Women and Domestic Violence (GREVIO) has initiated the evaluation of its implementation. GREVIO is the independent expert body responsible for monitoring the implementation of the Convention by its Parties. The first ten members of GREVIO<sup>2</sup> were elected by the Committee of the Parties at its first meeting (4 May, 2015).

GREVIO will draw up and publish reports evaluating legislative and other measures taken by the Parties to give effects to the provisions of the Convention. In cases where action is required to prevent a serious, massive or persistent pattern of any acts of violence covered by the Convention, GREVIO may initiate a special inquiry procedure. GREVIO may also adopt, where appropriate, general recommendations on themes and concepts of the Convention.

GREVIO adopted its questionnaire which it will use to monitor the implementation of the Istanbul Convention in each Party. The questionnaire consists of detailed questions on all aspects contained in Chapters II – VII of the Convention. The aim of the monitoring is to establish a baseline evaluation of how the

Convention is implemented by all Parties. The questionnaire is available online at [www.coe.int/en/web/istanbul-convention/home](http://www.coe.int/en/web/istanbul-convention/home).

Austria and Monaco are the first Parties to the Convention chosen by GREVIO for a first assessment. It is important to emphasize that the non-governmental organizations and civil society organizations working in the field of combating violence against women are also invited to submit information on the implementation of the Convention on the basis of GREVIO’s questionnaire. The Istanbul Convention acknowledges that violence against women is a human rights violation and a form of discrimination. Also, it aims to achieve “zero tolerance” towards this type of violence by criminalizing a whole series of acts: physical violence, sexual violence, forced marriage, female genital mutilation, coerced abortion and harassment. Violence against women cannot be justified under any circumstances and must be punished. The Istanbul Convention is a “gold standard” instrument, which supplements existing legal measures and enlarges the comprehensive international framework with regard to gender equality and the protection and empowerment of women.



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### Notes

- 1 The full text of the Convention and further useful information are available at [www.coe.int/en/web/istanbul-convention/about-the-convention](http://www.coe.int/en/web/istanbul-convention/about-the-convention).
- 2 Current members of GREVIO are: Feride Acar (Turkey), president, Rosa Logar (Austria), vice president, Marceline Naudi (Malta), vice president, members: Biljana Branković (Serbia), Françoise Brie (France), Gemma Gallego (Spain), Simona Lanzoni (Italy), Helena Leitao (Portugal), Iris Luarasi (Albania) and Vesna Ratković (Montenegro).

## MPPG at MPICC's 50 Years Jubilee

On 1 and 2 July, 2016, the Max Planck Institute for Foreign and International Criminal Law in Freiburg, Germany, celebrated its 50th anniversary with an attractive scientific and ceremonial program. More than 350 renowned participants from Germany, Europe and overseas attended the event, including the President of the Max Planck Society for the Advancement of Science, MPICC's former and current directors, members of MPICC's inter-

national Scientific Advisory Board and the Board of Trustees as well as members of MPPG's international Scientific Advisory Board. The Max Planck Partner Group for Balkan Criminology was represented with its own stand. Visitors were particularly interested in MPPG's and BCNet's research agenda and further scientific activities which were presented by Reana Bezić, Michael Kilchling, and Filip Vojta.



## BC EVENTS

### Third Annual Conference of the Max Planck Partner Group for Balkan Criminology 'Violence in the Balkans'



*Andra-Roxana Trandafir*

After the first two successful editions in Zagreb (2014) and Sarajevo (2015), the Third Annual Conference of the Max Planck Partner Group for Balkan Criminology will be held in Bucharest (Romania) from 1-4 September, 2016. The conference will be hosted by the Faculty of Law, University of Bucharest, which is the oldest law school in Romania. This year's general theme will be 'Violence in the Balkans', which mostly corresponds to the first research focus of the MPPG. The topic will cover homicide, defined extensively as the intentional killing of a person (including murder, manslaughter, euthanasia, infanticide, as well as other privileged or qualified forms), as well as the various types of physical assault (bodily injury, serious bodily injury, serious bodily injury resulting in death, aggravated assault) and participation in an affray.

Various members of the Balkan Criminology Network have announced that they will participate at the conference. They will address topics on violence in their countries, focusing on current problems in each of their own legal systems. All presentations will take into consideration official statistics available in the countries of origin of the participants.

The conference will be followed by the publication of the third issue of the Balkan Criminology Book Series, which will gather the information presented in Bucharest. For more information, please contact: [andra-roxana.trandafir@drept.unibuc.ro](mailto:andra-roxana.trandafir@drept.unibuc.ro). The full programme of the conference in Bucharest will be available in due time.

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### Balkan Criminology at the ESC Conference 2016 in Münster

The 16th Annual Conference of the ESC will be held in Münster, Germany, from 21 to 24 September 2016. The general theme will be Crime and Crime Control: Structures, Developments and Actors.

The MPPG for Balkan Criminology is organizing the second meeting of the ESC working group on Balkan Criminology with the aim of creating a forum of experts in the field of criminology and criminal justice research focused on the Balkans. In addition, the MPPG has prepared two panel sessions which will cover a variety of criminological themes of relevance for the region. The programme will include presen-

tations about BC research projects by Filip Vojta, Reana Bezić, Karlo Ressler, Dr. Sunčana Roksandić Vidlička and Dr. Aleksandar Maršavelski. Panel one will be chaired by Prof. Dr. Hans-Jörg Albrecht, panel two by Dr. Michael Kilchling.

At the Balkan Criminology stand general information about the MPPG and the BCNet, its research projects and publications will be provided. As last year in Porto the stand will also serve as a popular contact point where people can meet for exchange and discussion. MPPG invites you all to join us in Münster.

## Crime and Criminology in the Balkans: One-Week International Intensive Course, Dubrovnik/Croatia, 10-14 October 2016

The course, held at the Inter University Centre since 2014, provides participants with in-depth and up-to-date knowledge about the state of crime research in the Balkans. The main focus is on criminological methodology, phenomenology, and etiology. In addition, participants can take advantage of excellent networking opportunities with colleagues from the region and beyond. They will also have the possibility to present their Ph.D./Master/Diploma thesis before internationally renowned experts.

The course is accredited by the Zagreb Faculty of Law and offers 4 ECTS credits. Completion requires regular attendance and the delivery of a participant presentation in oral and written form. The program includes keynote lectures, student presentations, soft skills training, and extensive exchange and discussion. In addition, a Dubrovnik city tour is offered.

Special feature: the best student paper of the Course will be awarded and selected for the publication in the European Journal of Criminology.

The course fee is 150 €. It includes enrolment, participation in the lectures and student materials. In addition to the course fee, a separate 40 € fee has to be paid to the IUC Dubrovnik upon arrival. Participants are expected to make their own travel and accommodation arrangements and to cover these costs by themselves. Registrations are still possible. A limited number of scholarships are available for eligible participants.

For the program and further practical information please visit [www.balkan-criminology.eu](http://www.balkan-criminology.eu) or contact the course manager Ms. Reana Bezić at: [r.bezic@balkan-criminology.eu](mailto:r.bezic@balkan-criminology.eu).



### IMPRINT

Balkan Criminology News – Newsletter of the Max Planck Partner Group for Balkan Criminology

Publisher:  
Max Planck Partner Group for Balkan Criminology  
Trg Nikole Šubića Zrinskog 17  
HR-10000 Zagreb  
Croatia

Published in Zagreb, July 2016

ISSN: 1849-6229

Editor-in-chief: Dr. Andra-Roxana Trandafir

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