System, in support of children deprived of parental care in Bulgaria

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SYSTEM IN SUPPORT OF CHILDREN DEPRIVED OF PARENTAL CARE

Presentation and analysis of information on trends in the system of support of children deprived of parental care

NSI of Bulgaria

The report is a descriptive analysis of the existing data, collected by NSI, the State Agency for child protection (SACP), and Executive Agency for Social Assistance (EASA) at The Ministry of Labour and Social Policy (MLSP) as well as the official information on adoption legislation from the Ministry of Justice. The participation of the Institute for social activities and practices in the project work is assured by the support and co-operation with the national representative office of UNICEF in Bulgaria.

A. Reform for improving of the child-welfare in Bulgaria.

A national representative survey “Social evaluation of the child care in Bulgaria”\(^1\) was conducted in the year of 2000 on request of the World Bank and UNDP. The results of the survey outline the situation in the country at the beginning of the period, observed by this report.

The survey results show that the institutional type of care prevails in Bulgaria and the answer to the various needs of the children whether they are social, health or any type of needs are all answered by a placement in institution.

The results showed that the causes for the low quality of living of the children at risk in Bulgaria are:

- Poverty of the families;
- Broad accessibility to the institutions for the raise of the children;
- Prevalence of the institutional care and lack of alternatives of the intuitional care;
- Lack of coordination between the various ministries and agencies
- Lack of unified philosophy for the well-being of the children at risk

The survey “Social evaluation of the child care in Bulgaria” showed that most of the children placed in institutions are not orphans but are so called “social cases”- children whose parents have decided to put them in institutions because they are poor and do not have the ability to take care of them or send them to school. They believe that this type of care is very good for their children and that is the general social view as well. The various institutions have different potential for child upbringing that is restricted by the resources and the number of available stuff. These institutions were and still are structures subordinated and controlled by five different ministries which influences the function of the care – as predominantly medical at Homes for medico social care of children (HMSCC) as predominantly educational at Homes for up-bringing and education of

\(^1\) Survey “Social evaluation of the child care in Bulgaria”, 2000, requested by the World Bank and UNDP
children deprived of parental care (HUEDCDPC) and as mixture of two in other institutions. The institutions do not embrace the individual child needs as a leading factor for actions. Exceptions are those where major projects for the increase of the quality of the services are realised. The program “to grow-up without parents” in HMSCC, the programs in DD “Assen Zlatarov’’ etc.

In 2000 the number of institutionalized children was estimated as for 34000 or 1.78% of Bulgarian child population.¹

The actual reform has started in 2000 with the approval of the Law of child protection, the establishment of a system for child protection and with the support of the Project “Reform for the improvement of the well being of children in Bulgaria”. The aim of this reform is to improve the conditions in which children at risk live and to support the rights of the children of Bulgaria through the implementation of different approaches based on the principle of provision of services within the community such as deinstitutionalization, prevention of a child abandonment and services on protection of uncontrolled children which are economically effective alternatives of the institutional care. In this way our country was also aiming to fulfil the requirements of the EU that are related to human rights as well to accomplish its obligations to the UN Conventions on the rights of the children.²

The social policy is centred at the improvement of the well-being of all children in Bulgaria through the development of a system for child protection and the main efforts are addressed to the children at risk.³

The reform is being realized in a few main directions.

The first and foremost the reform foresaw the development of a system for child protection.

**A State Agency for Child Protection (SACP) was established in 2000.**

The SACR is a specialized body of the Council of Ministers for management, coordination and control in the field of protection of the child.

At the State Agency for child protection was established a National council for protection of the child with consultative and coordination functions, in which participate representatives of the Ministry of Labour and Social Policy, the Ministry of Justice, the Ministry of Education and Science, the Ministry of Health, the Ministry of Interior, the Ministry of Finance, the Ministry of Culture, the State Agency for the youth and sports, the National Insurance Institute, the Central Commission for fighting the antisocial acts of the minors and underage and of the National Association of the municipalities in the Republic of Bulgaria, as well as of non-profit corporate bodies who have as subject of activity the protection of the children.

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² Project evaluation document, p.1

³ Main indicators for implementation of this project are decreasing the number of institutionalized children and providing better accesses and quality of services for children in families in non-equal situation and their families.
The SACP work out and control the fulfilment of national and regional programmes for carrying out the protection of the child. The following basic by the law documents were approved in the 2001-2005 period:

A national strategy for children 2004-2006;
A national plan for action against the sexual exploitation of children with trade goals 2003-2005;
A plan for the decrease of the number of children, placed in specialized institutions in Bulgaria 2003-2005;
A National strategy for the protection of the rights of the street children;
A National strategy for the protection and the social integration of the children with disabilities 2003-2005, which became a part of the National strategy for equal opportunities for people with disabilities.

This process initiated the creation of a National strategy for the prevention of children’s antisocial behaviour, worked by MJ as well as the preparation of the National plan for the prevention of children’s antisocial behaviour 2003-2006. These documents have been adopted by the Council of Ministries in 2003.

The objective of all these documents is to create equilibrium for the respect of the rights of all children and for the development of services, oriented to the support and protection of the children and their families and for the prevention of child abandonment. It is expected that these documents will guarantee the fulfilment of the requirements of the EU. A working group for the planning monitoring and control of the application of the Convention of children’s rights, starts to work in 2004.

Institutions and mandates

The State Agency for Child Protection to the Council of Ministers coordinates the policy towards children including: monitoring of children’s rights, identification and rehabilitation of children at risk, drafting of criteria and standards for social services for children, licensing of service providers for children, monitoring visits to ensure the quality of social services for children is up to standards.

A National Council for Child Protection (Article 18 of the Child Protection Law) functions as a consultative and coordinative body to the Chairperson of the Agency involving representatives from the Ministry of Education and Science, the Ministry of Health, the Ministry of Interior, the Ministry of Finance, the Ministry of Culture, the State Agency of Youth and Sport, the National Insurance Institute, the Central Commission on Antisocial Behaviour of Children under the Council of Ministers and the National Association of the Municipalities in the Republic of Bulgaria as well as child protection non-for profit entities.

The Executive Agency for Social Assistance (ASA) under the MLSP is responsible for implementing the social policy towards vulnerable groups including children at risk and their families. The ASA and its municipal branches - Child Protection Departments in the Directorates for Social Assistance have wide ranging statutory powers to enable them to carry out their role in protecting children.
The Ministry of Education and Science through its Regional Inspectorates of Education implements the government’s educational policy at local level. The Homes for upbringing and Education of Children Deprived of Parental Care, Socio-Pedagogical Boarding Schools and the Correctional Boarding Schools are also subordinated to this Ministry.

The Ministry of Interior through the National Police Office and the Regional Directorates of Interior organizes and implements actions to safeguard public order and investigate / expose crimes and offences. According to the Child Protection Law the Minister of Interior is responsible for the protection of children in public places (According to the Regulation of the Council of Ministers on the Specialised Protection of Children at Public Places, № 165 of 25.07.2003, State Gazette 68/1.08.2003) and in cases of immediate risks for their life and security. The National Police works in cooperation with other government institutions, NGOs and citizens.

The Central Commission to Combat Trafficking in Human Beings is established in December 2004 with the aim to coordinate the actions between the relevant agencies and organisations for the implementation of the Combating Trafficking in Human Beings Act, and to define and supervise the implementation of the National Policy and Strategy in the Area of Combating Trafficking in Human Beings (Article 4 of the Combating Trafficking of Human Beings Act).

The Child Protection Commissions (CPC) are consultative bodies to the Departments of social assistance (DSA). Members of the CPC are representatives of the municipal administration, DSA, regional departments of the National Police, Regional Inspectorates for Education, Regional Healthcare Centres, Local Commissions against Juvenile Delinquency, as well as NGOs. The CPC serve as a mechanism for coordination and multidisciplinary teamwork at local level.

The Local Commissions against Juvenile Delinquency are municipal structures functioning under the Juvenile Delinquency Act. Their mandate comprises identification of children with antisocial behaviour (The Juvenile Delinquency Act as revised in 2004 defines the antisocial behaviour as “act, which is socially dangerous and violates the law or the moral or the good mores” – Article 49a/1); imposing of educative measures as an alternative of penal sanctions and enforcement of these measures. If the Local Commission considers that the adequate measure is imposed to the juvenile the offender should be placed at a Boarding School and the case must be send to the Court to take the decision for that placement (Article 21, para 1, 1, of the Juvenile Delinquency Act). The Juvenile Delinquency Act establishes the: a/ Socio-Pedagogical Boarding Schools and the Correctional Boarding Schools for children who committed anti social acts, and b/ Home for Temporary Placement of Minors and Juveniles.

B. Overview of the sources of information use

The sources of information that are analyzed and the choice of the most reliable data source are as follow:
<table>
<thead>
<tr>
<th>SURVEYS</th>
<th>Reliability according to the project aim and to the national legislation about the child protection</th>
<th>Use of the data in the report</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regular statistical surveys, conducted by the NSI</td>
<td></td>
<td></td>
</tr>
<tr>
<td>legal basis:national programme for the statistical surveys, adopted annually by the Council of Ministries</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health statistics - Homes for medical and social care for children -annual exhaustive survey</td>
<td>provide detailed information as for 31.12. in compliance to the request the survey covers all social care institutions, both in family environment and in institutions, but do not aim especially the children institutions, the information on age is not available</td>
<td>As an additional source of information and as validation tool for other data sources The NSI survey covers all the placed at the homes for children and youths with mental disability including those over the age of 18, while State Agency data cover only those till the age of 18. That is why the data from the State Agency are considered to be much more sufficient</td>
</tr>
<tr>
<td>Health statistics -Specialized institutions for submitting social services - annual exhaustive survey of all providers of social care services, incl. those for children and youth. The survey does not collect information on age and the data on placed children and youth include those above the age of 18.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Statistics of education - Home for up-bringing and education of children deprived of parental care date of observation as of 01.12.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Statistics of education -the survey of Primary and secondary education provide information on Socio-pedagogic boarding schools (7-18 years of age) Correctional boarding schools (7-18 years of age) as of 01.10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Agency for Child protection(^4)</td>
<td></td>
<td>Data from SACR are in compliance to the request for the institutions where the placement is under the regulations of the Law for Child protection</td>
</tr>
</tbody>
</table>

\(^4\) The State Agency for Child Protection carries out annual national research for the condition of the specialized institutions for children in the country. The research is a very important part of the system of monitoring for the condition of the cares for children and observation of their rights. The monitoring is done on certain indicators with
| SACP -annual national research for the conditions of the specialized institutions for children |
|---|---|---|
| An information card that is worked out specially for collecting information is filled by the heads of the institutions and is sent to The State Agency for Child Protection. The questions in it are grouped in several basic topics: Common data for the institution; Capacity and total number of children; characteristics of the children placed in the institution – the duration of the stay, health status, family status, belonging to a certain ethnus, cause for entrance and leaving; Characteristic of the personnel; Budget Tendencies in the institutions according to the children, personnel, the development of alternative social services and improvement of the quality of cares; Cooperation with the departments of children protection and participation of the institution in projects and programs |
| Official information provided by the EASP in accordance to the functions of the EASP |
| Detailed information on protective measures, as well as for the alternative form of care |
| Data are used for presenting the protective measure for prevention of institutionalization |

The main problem by the process of data collection for the purpose of the present analysis is that the data collection format refers to a previous period. The system of data collection follows the national legislation and the amendments for the period 2000-2005. Because of that the comparison about some of the indicators is done for the period 2003-2005 or 2002-2005.

1. Functioning of the formal care system

1.1. Analysis of the system of prevention of abandonment and protection measures

The only alternative for children that for some reasons could not take care of by their families have been placement in institutions before the beginning of the reform in 2000. The approval of the Law for Child Protection provides an opportunity for different approaches and institutionalization is now seen as an extreme or temporary solution.

The amendments of The Law for Child protection from the 18th of April 2003 guarantee the unified order for the placement of the child out of the family, no matter where the child is placed – with relatives, with a foster family or in an institution.

The development of a system of social services for children in the community is defined as one of the main factors that contribute for the decrease of the number of children in specialized institutions.

For the first time in the country the Child protection departments (CPD) are initiated and start to work as units of the Directions for social assistance in all municipalities. Now fixed methodology that gives dynamic which allows following the processes in their development. The analysis of the condition of the specialized institutions is given in a comparative plan 2001-2005 which allows giving the tendencies and the policy of application of different measures for the protection of the children to confirm with them.
they are structures of Executive Agency for Social Assistance, whose functions are to guarantee that children’s rights are being respected and to implement protection measures in cases when those rights are not respected. The social workers in the CPD follow a brand new methodology used for the first time in our country – casework, case management, needs assessment, risk assessment, individual planning of the provided cares, action plan, and direct work with the children, work with abused children, mobile social work with the children on the streets, work with families etc.

1.2. Protection measures

Deinstitutionalization is now realized through the main activities of the child protection system – prevention of abandonment and reintegration in the family. In practice, this means more and more opportunities for the children to live in a real family atmosphere.
"Protection of the child" is a system of legislative, administrative and other measures for guaranteeing the rights of every child.

The Law for child protection (art. 3 and art.4) define the principles and measures on child protection:

Principles of protection:
(Art. 3). The protection of the child is based on the following principles:
1. consideration and respect of the personality of the child;
2. bringing up the child in family environment;
3. ensuring in best way of the interests of the child;
4. special protection of a child in risk or with expressed gifts;
5. encouraging the voluntary participation in the activities for protection of the child;
6. selection of the persons directly engaged in the activities for protection of the child according to their personal and social qualities and care for their professional qualification;
7. temporary character of the restrictive measures;
8. (new, SG 36/03) immediate actions related to the protection of the child;
9. (new, SG 36/03; amend. – SG 38/06) specialized health care for the child.
10. (new – SG 38/06) preventive security and protection measures for the child;
11. (prev. Item 8 – SG 36/03; prev. Text of item 10 – SG 38/06) control over the efficiency of the undertaken measures.

Measures for protection
(Art. 4.) (amend., SG 36/03) (1) The protection of the child under this law shall be implemented through:
1. assistance, support and services in family environment;
2. placement in a family of relatives or close friends;
3. (new - SG 38/06) adoption;
4. placement in receiving family;
5. placement in a specialised institution;
6. police protection.
7. specialised protection in public places;
8. information about the rights and obligations of the children and parents;
9. provision of preventive measures for security and protection of the child;
10. provision of legal assistance by the state;
11. (amend. - SG 38/06) special care for the children with lesions.

(2) (suppl., SG 63/03) Every child may be adopted under the conditions and by the order of the Family Code.

(3) (prev. para 2 - SG 63/03) The criteria and standards for social services to children for implementation of the measures under para 1, item 1, 2, 4 and 5 shall be determined by an ordinance adopted by the Council of Ministers on a proposal of the Minister of Labour and Social Policy.

**Special protection is ensured for a child at risk and for a child with expressed gifts.**

Child protection shall be implemented by:
1. The chairperson of the State Agency for Child Protection and the administration that shall assist her/him in implementing the functions;
2. The Social Assistance Directorates;
3. The minister of Internal Affairs and the administration that shall assist her/him in implementing the functions.

The data on the main protection measures on which the Departments of child protection work in 2002 and 2003 are included in the 2003 State Agency of Child protection annual report.

Table 1.

<table>
<thead>
<tr>
<th></th>
<th>2002</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of cases of prevention, incl. family support</td>
<td></td>
<td>4898</td>
</tr>
<tr>
<td>Number of cases of reintegration of the children in biological family</td>
<td>416</td>
<td>1050</td>
</tr>
<tr>
<td>Number of children placed at the family of relatives</td>
<td>878</td>
<td>1897</td>
</tr>
<tr>
<td>Number of children placed at foster families</td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>Number of children who receive a police Protection</td>
<td>171</td>
<td>394</td>
</tr>
<tr>
<td>Number of children placed in specialized institutions as a protection measure</td>
<td>2046</td>
<td>2643</td>
</tr>
</tbody>
</table>

The departments for Child Protection at the Social Assistance Directorates as a child protection bodies apply the measures under the Law for Child protection in their work.
with children and the information on the following indicators is collected and provide to NSI by the **Executive Agency of Social Assistance**:  
Number of cases of prevention of abandonment  
Number of cases of reintegration of the children in biological family  
Number of children placed at the family of relatives  
Number of children placed at foster families  
Number of children placed in specialized institutions  
Number of children who receive police protection  
Number of adopted children  
Number of directions for social assistance (services)

The Executive Agency for Social Assistance has collected this information since April 2004 and the data have covered the period till November 2006.  
The following remarks should be taken into consideration by the use of the data from table 2:

- More than one protection measure is possible to be applied to a child  
- The departments for child protection set the placements of the children in the special institutions according to the 2003 amendments in the Law for child protection – the placement to be with an order of the head of the Directorate for social assistance.  
- The information about the number of children for which the accommodation in specialised institution is terminated is collected from 2006.

<table>
<thead>
<tr>
<th>Table 2.</th>
<th>2004</th>
<th>2005</th>
<th>2006 – as of 01. 11.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of cases of prevention of abandonment</td>
<td>4227</td>
<td>5615</td>
<td>3255</td>
</tr>
<tr>
<td>Number of cases of reintegration of the children at a biological family</td>
<td>4162</td>
<td>3731</td>
<td>2314</td>
</tr>
<tr>
<td>Number of children placed at the family of relatives</td>
<td>3755</td>
<td>1620</td>
<td>1091</td>
</tr>
<tr>
<td>Number of children placed at foster families</td>
<td>29</td>
<td>13</td>
<td>27</td>
</tr>
<tr>
<td>Number of children placed in a specialized institutions</td>
<td>2456</td>
<td>4181</td>
<td>2674</td>
</tr>
<tr>
<td>Number of children for which the accommodation in specialised institution is terminated</td>
<td>.</td>
<td>.</td>
<td>2544</td>
</tr>
<tr>
<td>Number of children who receive a police protection</td>
<td>623</td>
<td>578</td>
<td>502</td>
</tr>
<tr>
<td>Number of adopted children</td>
<td>613</td>
<td>642</td>
<td>524</td>
</tr>
<tr>
<td>Number of directions for social assistance (services)</td>
<td>968</td>
<td>1481</td>
<td>2614</td>
</tr>
</tbody>
</table>
Despite of the short period of 3 years that the protection measures data cover, a tendency of a positive change and the prove of the results of the work done by the bodies of child protection and all the staff working in the field is observed. The children placed in specialized institutions as a measure of protection represent the 17.08% in 2004, 30.6% in 2005 and 12.1% in 2006 (as of 01.11) of all cases of protection measures.

1.3. An analysis of the functioning of the system realized by the specialized institutions.

*General characteristics and tendencies in the system of institutions for care and upbringing of children deprived of parental care*

The number of institutionalized children in 2000 is estimated based on the inclusion of all children at special health related schools and children and youth in the boarding houses at the public schools, as well as the number of children at specialized institutions. The estimated number is about 34,000 children.

*In the Law for Child Protection the definitions for institutionalization are the following:*

"Specialised institutions" are boarding house establishments for upbringing and tutoring of children where they are permanently separated from their home environment.

6. (prev. item 5 - SG 36/03) "A child in risk" is a child:
a) who has no parents or has been left durably without their care;
b) who is a victim of misuse, violence, exploitation or any other not humane or
humiliating attitude or punishment within or out of his family;
c) for which there is a danger for impeding his physical, psychic, moral, intellectual or
social development;
d) (amend. - SG 38/06) who suffers from damages as well as from difficult for healing
diseases.

The following legal definition for specialized institutions the following types of
institutions are defined as specialized institutions for children:

- Homes for medico-social care for children, which are under the
  subordination of the Ministry of Health
- Homes for up-bringing and education of children deprived of parental
care. These houses are with the status of attended groups to The Ministry of education
  and science.
- Specialized institutions for submitting social services for children with
disabilities, which are under the subordination of the MLSP and are delegated as a state
  activities to the municipalities
- Social –pedagogic boarding schools and correctional boarding schools –
  under the subordination of the Ministry of Education and Science

The main normative definitions for the institutions of children are included with the
purpose to clarify whether the types of institutions in Bulgaria are comparable with those
of the other countries taking part in the MONEE project. If it is necessary additional
information could be provided.

Homes for medico-social care for children (HMSCC)

The functions of the Homes for medico-social care for children are defined in the Law for
Health Establishments. They are the health establishments where medical and other
specialists provide a long-term medical observation and specific cares for children with
chronic diseases and medico-social problems that are up to 3 years of age. The total
number of children in these institutions does not refer to the estimation of children with
disabilities.
The Homes for medico-social care for children have the following activities:
- Long term medical observation of children with chronic disease
- Diagnostic, treatment and rehabilitation of children with chronic diseases
- Specific care for children with chronic diseases and medico-social problems
- Up-bringing of children
- Preparation for the integration in the society

The placement at the Homes for medico-social care for children (HMSCC) is under the
regulation of the Law for Child Protection.
Specialized institutions for submitting social services for children with disabilities, which are under the subordination of the MLSP and are delegated as state activities to the municipalities

Social services are activities done by specialized institutions and municipalities that help such people to manage with their own way of living and to broaden their possibilities. The social work is a professional activity for improving the mutual adaptation of supported people, families, groups and the social environment. It is a complex of supporting activities with a purpose of better way of living, dignity and responsibility among people on the base of their individual abilities, attitudes towards each other and the sources of the community.

Children or youths with mental difficulties are those who have settled by the health bodies a different level of mental retardation, psychical backward or dimension. The homes for children and youths with physical disabilities provide social services for children and youths with strong physical disabilities from the age of 7 to 25 years old that do not allow them to go to usual or special schools of the system of the Ministry of education and science.

The children and the youths enter in the establishments of social services out of typical family background when all the possibilities for staying at a family are spent. The establishments providing social services for children and youths out of usual family background create a social-pedagogic council as a consultative body about the questions of social, educative-supervising and corrective activity. The chairman of the council is the head of the establishment. The youths with mental difficulties whose physical development do not correspond to the complete 18 years of age is possible to stay at the children establishment for social services for indefinite period of time according to the estimation of the physician consulting commission.

The children or the youths with mental difficulties can be moved to a home for people over the age of 16 according to the estimation of the physician consulting commission.

Homes for up-bringing and education of children deprived of parental care

The Homes for up-bringing and education of children deprived of parental care are serving units with social function at the system of national education that provide cares and social services for bringing up and supervising of children from the age of 3 to 18 years old. The Homes for up-bringing and education of children deprived of parental care provide conditions for education assurance of children during the time the children are at these homes.

The Homes for up-bringing and education of children deprived of parental care are:
1. for children under school age;
2. for children from I to XII (XIII) class.

The placement of a child at the Homes for up-bringing and education of children deprived of parental care as a precaution of protection is done only in cases when all the other possibilities for the child to stay at family background are spent. The placement of a child at the Homes for up-bringing and education of children deprived of parental care is done according to the Law for Child Protection.
The placement of a child is done by the court or by the directorate “Social support” which accommodates the child temporarily by administrative order according to the Law for Child Protection till the decision of the court.

It is possible the placement to be done by the specialized authorities of The Ministry of Interior in the cases when police protection is needed as a special measure according to the Law for Child Protection.

At the Homes for up-bringing and education of children deprived of parental care are created the following groups after coordination with the financing body:

1. for permanent care – for children with permanent 7 days stay, who are lack of sources at family background and / or relationships;
2. for week care – for children with 5 days stay, who are assured to live at family background;
3. for a day stay – the child is there during the day and during the night he / she is by his / her family.

The team for psychology–pedagogic estimation at the Home for up-bringing and education of children deprived of parental care creates a plan for cares for each child in a period of one month from the placement according to the plan for action of the department of the child protection. The purpose and the period of placement, the responsibilities, and the possibilities for communication with the family, the relatives and other people are determined in it according to the Regulation for the criteria and the standards for social services for children.

The children at the Homes for up-bringing and education of children deprived of parental care could spend their free days, feast-days and holidays by proper families or certain people if the contact is regulated in the court decision for the placement of the child or in the order for placement by administrative order of the head of direction “Social support”.

The children could spend their free days, feast-days and holidays at their family background after a preliminary research done by the department of children protection of the direction “Social support” and the team for psychology–pedagogic estimation

Social-pedagogic boarding-schools According to the regulations, the Socio-Pedagogical Boarding Schools are state schools for minors above 8 years of age and juveniles who don’t have suitable conditions of life in their family or are deprived of parental care and control and have committed, or prerequisites exist for the commitment of an anti social act. Placement in a socio-pedagogical boarding school is a very broad issue, and it should have a more precise legal definition. There are cases of inadmissible placing of drug-addicted children in boarding schools. Educators in these schools have the status of regular educational teachers; they are required to have a pedagogical qualification (teacher’s certificate).

The Correctional boarding schools are state schools in which are placed minors above the age of 8 and juveniles that have done anti-social acts for which the supervising measures according to article 13, of the Law for combating of anti-social acts of minors and juveniles are not sufficient and there is no suitable social environment for their normal education. Infancies towards whom the court has settled such a measure

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5 Institute for social activities and practices
according to the order of article 61 and 64 of the Penal code. The maximum length of stay in cannot exceed 3 years. A review of the measure with respect to every individual child is made at the end of each school year by the Pedagogical Board, with the participation of a public prosecutor from the District Prosecutor’s Office. Propositions for replacement of the measure or its termination can be made by the child’s parents or by the local commission that has imposed the measure. The correction at the Boarding School takes place basically through educational and qualification programs and activities. The certificates for a completed grade are issued according to the laws and regulations valid for the general educational and vocational schools. These boarding schools are within the structure of the Ministry of Education and Science and the inmates follow the curricula of the general educational and vocational schools.

The students placed at a supervising boarding-school and at a social-pedagogic boarding-school live in a boarding-house to the school. Resources are provided during the time of stay for creating conditions for supervising and education, for self-training, lodging for the night, clothes, medicines, textbooks, school aids and food free of charge. The students at Correctional boarding schools or at social-pedagogic boarding-schools stay in them for supervising and education also to acquire professional qualification till the age of 16 or if they state a written statement – till the age of 18. The stay of the student is possible to be continued till the graduation of a certain degree of education or a professional qualification after the age of 18.

Specialized institutions for children as for 31.12.2005 in which the placement is according to the Law for Child Protection

Data sources:

For Homes for medical and social care for children (0 – 3 years of age.): NSI annual exhaustive survey

For other types of institutions the data source is The State Agency for Child Protection annual national research for the condition of the specialized institutions for children in the country. The research is a very important part of the system of monitoring for the condition of the cares for children and observation of their rights. The monitoring is done on certain indicators with fixed methodology that gives dynamic which allows following the processes in their development. The analysis of the condition of the specialized institutions is given in a comparative plan 2001-2005 which allows giving the tendencies and the policy of application of different measures for the protection of the children to confirm with them.
Table 3. Specialized institutions for children as for 31.12.2005 in which the placement is according to the Law for Child Protection

<table>
<thead>
<tr>
<th>Type of institution</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Institutions under the subordination of the Ministry of Education and Science</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Home for up-bringing and education of children deprived of parental care (4-18 years of age)</td>
<td>102</td>
<td>7 145</td>
<td>102</td>
<td>6 920</td>
<td>102</td>
</tr>
<tr>
<td><strong>Institutions under the subordination of the Ministry of Labour and Social Policy and municipalities</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Home for children and youth with mental disabilities (difficulties)</td>
<td>31</td>
<td>1 901</td>
<td>31</td>
<td>1 854</td>
<td>30</td>
</tr>
<tr>
<td>Home for children and youth with physical disabilities and (difficulties) and mentally healthy</td>
<td>1</td>
<td>98</td>
<td>1</td>
<td>81</td>
<td>1</td>
</tr>
<tr>
<td><strong>Institutions under the subordination of the Ministry of Health</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Home for medical and social care for children (0 – 3 years of age.)</td>
<td>32</td>
<td>3 243</td>
<td>32</td>
<td>3 139</td>
<td>32</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>165</td>
<td>12289</td>
<td>165</td>
<td>11913</td>
<td>164</td>
</tr>
</tbody>
</table>
There is a firm tendency of decreasing the number of children in specialized institutions in 2001 – 2005. The number of institutionalized children decreases with 20.4% (2513) in comparison with the year of 2001. The decrease of number of children, placed in the three specialized institutions in which the placement is according to the Law for Child Protection for the period 2001 – 2005 is as follows:

- Homes for bringing up and supervising of children deprived of parents care – the number of children decreases with 1639 or with 22.9% in comparison with the year of 2001.
- Homes for children and youths with mental retardation - the number of children decreases with 591 or with 31.1% in comparison with the year of 2001.
- Homes for medico-social care for children - the number of children decreases with 283 or with 8.7% in comparison with the year of 2001.

In spite of the general tendency of decreasing the number of children in specialized institutions for the period of 2001 - 2005 there are some adverse facts that should be taken into consideration by working out the policy for the children.

It is an embarrassing fact that the institutionally brought up children decrease with 514 or with only 5% in 2005 in comparison with the year of 2004. The number of children at the Homes for medico-social care for children increases with 72 in comparison with 2004 which shows that the placement in a specialized institution is still one of the basic measures for protection. Despite of the fact that the number of children in risk that have received help and support and a family background is assured for them increases almost two times in the last two years there is not a well developed system of services for getting over the risks of abandonment and the placement of children in institutions.

**The tendencies of decrease in the number of children in three types of institutions where the placement is according to the Law on Child protection is illustrated by the following figure:**

![Graph showing the number of children in institutions per 1000 children at age 0-18 and the number of children in HMSSCC per 1000 children at age 0-3 from 2001 to 2005.](image)

An increase of 0.2 point is observed for the placed at the HMSSCC children in 2005 in comparison with the year of 2004.
Statistical data for the Correctional boarding schools and the Social-pedagogic boarding-schools

The source of data for these homes is the Statistics of education as for 01.10.

**Table 4.** Statistical data for the Correctional boarding schools and the Social-pedagogic boarding-schools

as of 01.10.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Social-pedagogic boarding-schools</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>number</td>
<td>20</td>
<td>19</td>
<td>18</td>
<td>18</td>
<td>17</td>
</tr>
<tr>
<td>of which in villages</td>
<td>18</td>
<td>17</td>
<td>16</td>
<td>16</td>
<td>15</td>
</tr>
<tr>
<td>number of students</td>
<td>2300</td>
<td>2057</td>
<td>1842</td>
<td>1544</td>
<td>994</td>
</tr>
<tr>
<td>of which in villages</td>
<td>2155</td>
<td>1846</td>
<td>1647</td>
<td>1370</td>
<td>889</td>
</tr>
<tr>
<td><strong>Correctional boarding schools</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>number</td>
<td>8</td>
<td>7</td>
<td>6</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>of which in villages</td>
<td>5</td>
<td>5</td>
<td>4</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>number of students</td>
<td>449</td>
<td>465</td>
<td>422</td>
<td>419</td>
<td>346</td>
</tr>
<tr>
<td>of which in villages</td>
<td>233</td>
<td>192</td>
<td>142</td>
<td>123</td>
<td>92</td>
</tr>
</tbody>
</table>

As the data shows there is a tendency for the decrease of the number of institutions and for the decrease of the number of children placed there as well. This decrease can be attributed to the introduction of the obligatory court decision for the placement of children in institutions. This can be explicitly seen in the data for 2004 and 2005 when the decrease is with more than 500 children.

**Calculation of the institutionalisation rate**

The following data from NSI and from the State Agency for Child Protection will be used to calculate the ratio of children in specialised institutions per 1000 of the children of the corresponding age group:

- The data for the children at the Homes for medico-social care for children as of 31.12 from the statistical survey of NSI, which provide data for the whole observed period.
- The data for the children at the Homes for up-bringing and education of children deprived of parental care as of 31.12 – data source Annual report of State Agency
The data for the children at the Homes for children and youths with mental disability as of 31.12 - data source Annual report of State Agency

The data for the children at the Social-pedagogic boarding-schools and Correctional boarding-schools as of 01.10 – data source NSI, In order to provide estimation for the whole period the NSI data are used, but they are not at the end of the year – the date of statistical observation is 01.10.

The estimations that are produced for institutionalization rate are methodologically unclear because of the use of data at different date of observation and different sources and in that sense they could not be considered as methodologically compliant. The provided data show the need of methodological definitions for the following years and the need of very precise use of the data.

**Estimated number of children in specialized institutions, social pedagogic boarding schools and correctional boarding schools as of 31.12.**

**Correctional boarding schools as of 31.12.**

(The number of children is calculated on the base of NSI data for 2000, NSI data for the children in Homes for medico-social care for children and relevant data from State Agency for Child Protection for the years 2001-2005)

<table>
<thead>
<tr>
<th>Type of institution</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Institutions under the subordination of the Ministry of Education and Science</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Home for upbringing and education of children deprived of parental care (4-18 years of age)</td>
<td>7874</td>
<td>7145</td>
<td>6920</td>
<td>6151</td>
<td>5567</td>
<td>5506</td>
</tr>
<tr>
<td>Institutions under the subordination of the Ministry of Labour and Social Policy and municipalities</td>
<td>2106</td>
<td>1901</td>
<td>1854</td>
<td>1818</td>
<td>1835</td>
<td>1310</td>
</tr>
<tr>
<td>Home for children and youth with mental disabilities (difficulties)</td>
<td>2001</td>
<td>1803</td>
<td>1773</td>
<td>1742</td>
<td>1763</td>
<td>1251</td>
</tr>
<tr>
<td>Home for children and youth with physical disabilities and</td>
<td>105</td>
<td>98</td>
<td>81</td>
<td>76</td>
<td>72</td>
<td>59</td>
</tr>
</tbody>
</table>
(difficulties) and mentally healthy

| Institutions under the subordination of the Ministry of Health | 3375 | 3243 | 3139 | 2907 | 2888 | 2960 |
| Home for medical and social care for children (0 – 3 years of age.) | 3375 | 3243 | 3139 | 2907 | 2888 | 2960 |
| accommodation of the children according to the Law for combating of anti-social acts of minors and juveniles | 2503 | 2300 | 2057 | 1842 | 1544 | 994 |
| Social-pedagogic boarding-schools | 551 | 449 | 465 | 422 | 419 | 346 |
| Correctional boarding schools | 16409 | 15038 | 14435 | 13140 | 12253 | 11116 |

The existing hypothesis that explains the changes in the institutionalisation rate with decrease in the number of population of the corresponding age groups is checked by using the calculated rate of relative growth, where the basis year is 2000.

<table>
<thead>
<tr>
<th>Number of children 0-3 years of age as of 31.12 - population data</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>271329</td>
<td>261971</td>
<td>266797</td>
<td>265130</td>
<td>267484</td>
<td>270319</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of children 0-18 completed years of age as of 32.12. - population data</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>1706213</td>
<td>1607515</td>
<td>1565317</td>
<td>1524500</td>
<td>1488096</td>
<td>1451252</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Total number of children 0-18 in institutions</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>16409</td>
<td>15038</td>
<td>14435</td>
<td>13140</td>
<td>12253</td>
<td>11116</td>
<td></td>
</tr>
</tbody>
</table>

| Of which: total number of children 0-3 in HMSCC | 3375 | 3243 | 3139 | 2907 | 2888 | 2960 |

<table>
<thead>
<tr>
<th>Institutionalized children 0-3 as of 31.12. per 1000 of the corresponding age group</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>12,4</td>
<td>12,4</td>
<td>11,8</td>
<td>11,0</td>
<td>10,8</td>
<td>11,0</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Institutionalized children 0-18 as of 31.12. per 1000 of the corresponding age group</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>9,6</td>
<td>9,4</td>
<td>9,2</td>
<td>8,6</td>
<td>8,2</td>
<td>7,7</td>
<td></td>
</tr>
</tbody>
</table>

rate of relative growth of the
The tendency of decrease is observed for children in specialised institutions aged 0-18 and 0-3. The data clearly show that the tendency of decrease for institutionalised children is overtaking compare to the decrease of the corresponding age groups of the population.

Despite of the decreasing tendency of the institutionalization rate as a whole, there is entanglement in decreasing tendency for institutionalization of 0-3 children, placed in HMSCC, for the period 2003-2005, and the institutionalization rate for 2005 is higher with 0.2 points in comparison with the previous year.

The rate of institutionalization for children aged 0-18 decrease with 1.9 points in comparison with the year of 2000 and 0.5 points in comparison with the previous year.
2. **Indicators, required by CAR Guidance of the Innocenti Research Centre**

2.1. **Child placement in a specialized institution**

The significance of the change in the period 2000-2005 is the promotion of the principle according to which the separation of the children from their parents and subsequent placement in an institution could only take place with the approval of the court following the procedures in the Child Protection Law. According to article 26 paragraph 1 of The Law for Child Protection, the placement of the child out of the family, also in a specialized institution is done by the court. The temporarily placement till the court decision is enacted with an order of the head of the Department of social assistance - article 27 paragraph 1 from The Law for Child Protection. These writs, regulating the procedure of placement make no provision for such exceptions. According to article 35 paragraph 2 the placement of children in specialized institutions is done only in cases when all the possibilities for the child to be in a family are tried. The procedure of clarifying of this circumstance and the evidence that it is done is given by the social report of The Department of social assistance. In such a sense the participation of the Department of social assistance is guaranteed and should be concluded with an order of placement, when it is needed. According to the Law for Child Protection children in all types of boarding schools are not institutionalized.

2.2. **Entrance and leaving the institutions in 2005 in comparison with 2003**

3748 children have entered in specialized institutions in 2005.

That includes all the children who entered in the different types of institutions irrespective of cause of placement why they are in the institution or the period for the placement – these are also children with a reference to a week or day care that are 217 in total and also all prematurely born (605), although two-thirds of them go back to their families. It should be taken into consideration that because of the lack of developed alternative services the institutions (especially for crisis and emergency cases) are used as places for temporary placement.

The highest percentage is of the children placed at the Homes for medico-social care for children – 55.4% (2075) from all entered during the year.

1493 children are placed at the Homes for up-bringing and education of children deprived of parental care during the year.

180 children are placed at the Homes for children with mental disabilities/ difficulties.

2758 children or 73.6% of the children entered in the year are placed for the first time in a specialized institution.

95.8% (1987) of the children entered in the year of 2005 at the Homes for medico-social care for children are placed for the first time in an institution. Almost 64% (1326) of the children placed at the Homes for medico-social cares for children coming directly from the maternity hospital.
The percentage of the children at the Homes for up-bringing and education of children deprived of parental care placed for the first time in an institution is 49.1% (733) in comparison with the total number of entered children. The highest percentage of the children placed at the Homes for up-bringing and education of children deprived of parental care are from a biologic family – 53.9% (804).

Nearly 21.1% (38) of the children who entered at the Homes for children with disabilities are for the first time in an institution. Others are moved from the Homes for medico-social care for children and from the Homes for up-bringing and education of children deprived of parental care because of completed age or needed of special health cares. Most of the children at the Homes for children and youths with mental disabilities are from another specialized institution for children. Almost 79% (142) of the children who entered in an institution for children with mental disabilities for the year are from another specialized institution for children.

The percentage of children with a direction of social service is still relatively small. 155 children at the Homes for up-bringing and education of children deprived of parental care are with a reference of social service that is mostly day and week care. 51 are the children at the Homes for medico-social care for children with a direction for social service. 11 are at the children with a direction of social service at Homes for children and youths with mental disabilities.

**3401 children left a specialized institution in the year of 2005.**

58.5% (1988) of them left Homes for medico-social care for children.

717 (36%) of the children that leave the Homes for medico-social care for children are adopted, 610 (31%) are reintegrated in their biological families, 276 (14%) are moved into another specialized institution. Almost 1% (28) of the children are placed in the families of relatives during the year, only 7 of the children are in foster families. 76 children have died in the institutions of the Ministry of health in 2005. The directors of the Homes for medico-social care for children give as a reason for leaving of 266 of the children “bringing out of prematurely born condition”. According to article 17 point 5 of the Regulation for the organization and the activity of the Homes for medico-social cares out of the cases of placement according to the Law for Child Protection“ in the Homes for medico-social care for children are placed children with low weight because of premature birth with the agreement of their parents or their guardians”. 72.5% of the placed children on medical indicators because of premature birth go back to their families when the babies reach normal weight.

38.8% (1303) leave the Homes for up-bringing and education of children deprived of parental care in 2005.

567 (43.5%) are reintegrated in their biological families, 34 (2.6%) are adopted, 11 (0.8%) are placed at adoptive families, 102 (7.8%) are by their relatives. 239 children in total are moved into another specialized institution, 277 (21.3%) of the youths leave the institutions because of come of age.
Scarcely 110 children leave the Homes for children with disabilities in 2005. 33 (30%) of them are moved into another institution. In total 41 (37.3%) children and youths leave because of come of age. Reintegrated in their families are 11% (12) of the children that have left through the year.

Comparisons with the year of 2003

The number of adopted children from a specialized institution decreases in 2005. The children taken for adoption from the Homes for medico-social care for children decrease with 612 or that are 46.4% in 2005 in comparison with 2003. The adopted children from the Homes for up-bringing and education of children deprived of parental care decreases with 121 or 6.6%. The lowest number of adopted children is from the Homes for children with damages.

The number of reintegrated children in a biological family decreases in 2005. This tendency is very expressive in the institutions for children with damages. The reintegrated children in their biological families from the Home for children and youths with mental retardation decrease with 60% (18) in comparison with 2003. The reintegrated children in their biological families from the Homes for up-bringing and education of children deprived of parental care decreases with 403 or 21.9% in comparison with the same year. At the Homes for medico-social care for children are reintegrated 124 children less – 16.9% in comparison with 2003.

The number of the children that leave the specialized institutions for children and are placed by the family of relatives vastly decrease in 2005. 297 children leave a specialized institution and are placed by their relatives in 2003 while these children are 131 in 2005 or their number decreases with 166 (55.9%) in comparison with 2003.

The number of children moved into another specialized institution increases in the three types of institutions in 2005. More than 2 times (from 142 children in 2003 to 287 in 2005) increase the number of children, moved into another specialized institution after leaving the Homes for Medico-social cares for children. The number of children moved into another specialized institution from the Homes for up-bringing and education of children deprived of parental care increases with 37 (2%) in 2005 in comparison with 2003.

There is a tendency for increasing the number of moved children from the Homes for children with disabilities into another specialized institution for children. 27.9% from the leaving Homes for children and youths with mental retardation are transferred into a Home for adults with mental retardation. The percentage of the transferred into another specialized institution from the total number of the leaving is 30% in 2005.

2.3. The duration of the stay

According to the duration of the stay the highest percentage of the children in a specialized institution is over 3 years (39%) in 2005, so that their percentage increases with 7% in comparison with 2002. 28% of the children are with the duration of the stay up to 1 year. The percentage of the children with shorter stay – up to 1 year increases with 4%.
Mostly the children at the Homes for children and youths with mental disabilities are brought up for a long period of time. The children in these institutions staying more than 3 years are almost 5 times more than the children staying up to 1 year. Also the percentage of the children staying more than 3 years (45.5%) at the Homes for up-bringing and education of children deprived of parental care is higher than those of the children staying up to 1 year (23%). The data for the children bringing up at the Homes for medico-social cares for children show that most of the children (1285 or 43.4% of the placed as for 31.12.2005) stay at the Homes for medico-social cares for children less than a year. For 41.3% (1221) of the children the duration of the stay is from 1 to 3 years, children with the duration more than 3 years are 15.3% (454).

It is settled that the percentage of the children with the duration of the stay up to 1 year at the Homes for medico-social cares for children decreases with 11% in 2005 in comparison with 2002 and the increase of the percentage of children with duration of the stay over 3 years with 12% for the same period of time. The purpose for that could be the decrease in the adoptions so as not a little percentage of the children with damages that are brought up in them.

Table 5. Duration of the stay

<table>
<thead>
<tr>
<th></th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Up to 1 year</td>
<td>1 to 3 years</td>
<td>More than 3 years</td>
<td>Up to 1 year</td>
</tr>
<tr>
<td>Home for medico-social care for children</td>
<td>1691</td>
<td>1349</td>
<td>101</td>
<td>1399</td>
</tr>
<tr>
<td>Home for up-bringing and education of children deprived of parental care</td>
<td>1859</td>
<td>2552</td>
<td>2509</td>
<td>1372</td>
</tr>
<tr>
<td>Home for children and youth with mental disabilities</td>
<td>192</td>
<td>346</td>
<td>1235</td>
<td>146</td>
</tr>
</tbody>
</table>
2.4. Health status of the children
The data about the health status of the children are collected by the SACP with the changed information cards in 2003 because of that the comparison is for the period 2003-2005.

Table 6. HEALTH STATUS OF THE CHILDREN

<table>
<thead>
<tr>
<th>Groups of diseases</th>
<th>Homes for medico-social cares for children</th>
<th>Home for upbringing and education of children deprived of parental care</th>
<th>Home for children and youth with mental disabilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Children with chronicle somatic diseases</td>
<td>441 302 505</td>
<td>441 396 441</td>
<td>192 237 188</td>
</tr>
<tr>
<td>• Children with mental and neurological diseases</td>
<td>383 384 439</td>
<td>336 303 289</td>
<td>743 989 813</td>
</tr>
<tr>
<td>• Children with congenital diseases</td>
<td>533 425 655</td>
<td>119</td>
<td>294</td>
</tr>
<tr>
<td>• Children with different level of mental retardation</td>
<td>593 875 872</td>
<td>829</td>
<td>1654 1591 1245</td>
</tr>
<tr>
<td>• Children with physical and multiple damages</td>
<td>199 264 315</td>
<td>121 60</td>
<td>439 552 437</td>
</tr>
<tr>
<td>• Children with hypotrophy</td>
<td>510</td>
<td>45</td>
<td>234</td>
</tr>
<tr>
<td>• Prematurely born children</td>
<td>487 415 605</td>
<td>81</td>
<td>207</td>
</tr>
<tr>
<td>• Clinically healthy children</td>
<td>1776 1653 1503</td>
<td>4527</td>
<td>158</td>
</tr>
</tbody>
</table>

Predominant part of the children at the Homes for medico-social care for children and at the Homes for bringing up and education of children deprived of parental care are clinical healthy children – without damages or chronic diseases. Clinically healthy are 50.8% of the children at the Homes for medico-social care for children and 72% of the children at Homes for bringing up and supervising of children deprived of parental care.

The greatest part of the children from the children with different diseases at the Homes for medico-social care for children are children with congenital anomalies – 22.1%, followed by the children with different level of retardation in their psychic development (20%) and children with low weight because of prematurely birth (20.4%).

The number of the clinically healthy children in the HMSCC decreases with 150 or 5.2% in 2005 in comparison with the year of 2003. The number of children with chronicle and somatic diseases increases with 203 or 7% in comparison with the year of 2003. The number of children with mental and neurological diseases increases with 55 or 1.9%; the number of children with physical and a lot of damages – with 51 or 1.8%. The number of prematurely born children increased with 230 or 7.8% in 2005.

The highest percentage of the children at the Homes for children with disabilities/difficulties is that of the children with different level of mental retardation – 36%, followed by the children with mental and neurological diseases – 24% and the children with a lot of diseases – 13% of the children with different diseases.
72% (3957) of the children are clinical healthy at the Homes for bringing up and supervising of children deprived of parents care in the year of 2005. The highest percentage of the children with diseases is of the children with different level of mental retardation – 16.2% (829 children). On the second position is the group of children with chronic and somatic diseases – 7.2% (398). The number of children with mental and neurological diseases at the Homes for up-bringing up and education of children deprived of parental care gradually increases from 4.9% (303) in the year of 2003 to 5.2% (289) in the year of 2005. The children with physical and a lot of damages are a comparatively small group – 1% (60 children) in 2005. 45 (0.8%) children are brought up with Hypotrophia at the Homes for up-bringing and education of children deprived of parental care and the children with anomalies are 119 or 2%.

2.5. The quality of care for the children

It is possible to say that there is a slight progress in the quality of the care for children in the specialized institutions provoked by the obligation of the institutions to observe the necessary criteria and standards, regulated in The Regulation for criteria and standards for social services for children. There is an increase in the number of children at the Homes for children and youths with mental disabilities that go to school, kindergarten or crèches in the built-up area, so as an increase in the number of children at the Homes for medico-social cares for children that go to kindergarten in the built-up area out of the home. A good sign for working in the direction of children’s gifts is that the children from the Homes for up-bringing and education of children deprived of parental care study at art schools and in private schools with such a purpose so as including the children in different occasions by interests, most of which are provided for the participation of the home in projects of NGO.

The problems of the children leaving the specialized institutions are not only because of the lack of environment. In fact their abilities to manage alone with the coming problems are a direct and the most important indicator of the quality of the care for the children in the specialized institutions for children.

All the problems connected with the quality of cares for the children could be overcome if a reform is carried out in the institutions which are orientated to:

- Conducting of a new evaluation by applying of the approved criteria in the Mechanism of closure, reforming and restructurings of the specialized institutions which will give clearness for the future of each institution.
- Preparation of a clear institutional project for each concrete institution which is conformable to the results of the estimation which has its long-term and short-term aims and a plan-schedule for the activities of the implementation of the aims. The project should reflect the possibilities for development from the position of opening the institution to the offering of different services, conformable to the needs of the local community. It should be orientated to the improvement of infrastructure and realization of transformation that will make conditions for giving of different services and conditions for the children for living close to the family background. In the institutional project the priority areas are connected with the improving the quality of life of the children so as the possibilities for the personnel which includes improving of their qualification.
➢ To make a system for qualification and prequalification of the people working at the specialized institutions that will supply personnel deficiencies so as to give the possibility to the working people at the institutions that are liable to closure to take part in offering of another social services

**Quality of the care in the specialized institutions – the following analytical comments are provided by the Institute for social activities and practices and do not engage the official institutions**

During the period 2000-2005 the status of the various institutions and the organization and methodology of work is kept. The children are divided according to the age criterion which leads to a lack of a family type of atmosphere which is vital for the proper upbringing of the children that are staying for a long period of time in the institutions – the children are being moved when they are three and over and afterwards when they are seven years old. The other factor according to which the institutions operate is the type of problems that the children have – which is actually the type and intensity of the disability that the children have.

In other words, still the child should correspond to the type of institution and not the institution to correspond to the child needs. The organization and the methodology of work are influenced by the status of the institution – in HMSCC the type of care is predominantly medical although the relative number of healthy children is bigger than the number of unhealthy children (see table 6). The character of the institution can also be seen in the structure of the staff and through the naming of these institutions as hospital institutions. Homes for up-bringing and education of children deprived of parental care are still institutions with an educational status where the staff should have teaching credentials as a prerequisite. What is common between the two types of institutions is the division of the children according to their age which most often causes hindrances for their proper development especially in HMSCC and promotes group relationships that are different from the normal family relationships. The promotion of standards for qualitative child care influences insignificantly the work in the institutions as a result of their more formal than real application. The control process is being hampered because the public providers of cares and services are not subjected to licensation, unlike the private, and therefore they are not endangered of being sanctioned in any way. “Purposeful work related to the actual preparation of the children for an independent life after they leave the institutions is being performed only in a few of the institutions. We think that this practice should become a priority in all of them”.

The explicit data about the health condition of the children do not suffice to provide information about the conditions of the children in the institutions. A number of projects aim at the increase of the competency of the staff in HMSCC so that we can get rid of the medical approach and to inflict the individual approach that corresponds to the needs of all of the children., through the promotion of the case work, team work, change in the organization of life as for example formation of groups with children of various ages and creation of actual living spaces. Another direction for change could be the inclusion of

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7 SACP report.
the parents in the whole process. Practically, the changes that have been initiated are less than we desire mostly due to the fact that the medical staff should abandon the medical approach and embrace the approaches that were mentioned. On the other hand, the direction of the reforms opposes the interests of the institutions which also explain why the reforms have been only formally applied. For example, the parents’ visitations are often hindered by the internal rules of the institutions related to, for instance, hygiene rules, epidemic rules, etc.

**Homes for up-bringing and education of children deprived of parental care**

One of the serious changes that the asylums for children from three to eighteen years old have undergone is their unification in only one institution. The existing in the year 2000 Asylums for children at a pre-school age (DDPV) and the Asylums for children and young people (DDIU) are renamed into *Homes for up-bringing and education of children deprived of parental care (HUECDPC)*. This unification however was only realized in words while in practice we still have *HUECDPC* for children from 3 to 7 years old and *HUECDPC* for children from 7 to 18 years old. Although the staff in both types of institutions are pedagogic professionals, in the first type work children teachers that are prepared to work in kindergartens, and in the second type work teachers prepared to work in schools. For this reason, in addition to the stress that the child goes through when he or she has to be placed in a new institution very often in a completely new place, there is the problem of the staff being incapable of meeting the child’s needs. The ratio between the staff and the children in general makes suspicious the possibility of individual work with the children. The groups are organized according to the age of the children the same way classes are organized at school only with a few exceptions. The quality of the offered services is so bad that escapes, stealing, prostitution, and violence are considered common.

### 3. The development of the alternative care within the specialized institutions


#### 3.1. Development of the alternatives of services within the three types of institutions, where the placement is done according to the Child protection Law

##### 3.1.1 Development of alternatives of the services in the HMSCC

22 of the institutions for children at the age from 0 to 3 actually develop social services in the community. These are activities basically connected with the day care, week care or care by hours for children bringing up at family or close to family background and they

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go to the institution for diagnostic, rehabilitation, education or treatment. Some of the homes give methodological help to the parents, consulting the families with children with neurological diseases and the families with prematurely born children, so as “School for parents”.

About 17 Homes for medico-social cares for children have a working day centre in 2005. These are 53% of all specialized institutions for children at the age of 0 till the age of 3. 16 of them are financed by the budgetary grant, only one day centre is financed by the foundation “Help for the children of Bulgaria”. The capacity of the day centres is 297 places in 2005. 228 children visit them as for 31.12.2005. This is 76.8% use of their capacity.

The basic activities of the day centres to the Homes for medico-social cares for children are connected with:

- diagnosis and consultation of children with moving, psychic and neurologic problems;
- kineziterapy, phisioterapy, psychologic and logopaedic help, rehabilitation and massage so as preparing of programmes for working at home;
- training of the parents of prematurely born children

According to the heads of the Homes for medico-social cares for children they have the capacity and they could develop alternative services for children and the families in the community if there is extra financing. The alternative services that these institutions could provide are in the following directions

- creating a “Mother and baby” unit – for the support of pregnant women and young mothers that have no support of their families and relatives with the purpose to prevent the abandonment;
- training of the candidate adopters, adoptive parents so as “School for parents”;
- giving an opportunity for hour, day and week cares for children with special needs and for healthy children up to the age of 3 so as broaden the activities of suggested social services;
- opening of centres for rehabilitation, saloons for relation psychomotoric, physical therapy and kinesitherapy, art-therapy;

3.1.2. Development of alternatives of the services in the Homes for children and youth with mental and physical disabilities/difficulties

The social services provided at the Homes for children and youths with mental disability as for the end of 2005 are connected with providing of week care, visiting of children day centre to the community, rehabilitation procedures, etc. Three of the institutions have the possibility of building of protected homes. The heads of the 11 of the institutions express desire and willingness because of the existing necessity in the local community to open day centres for working with children with damages.

3.1.3. Development of alternatives of the services at the Homes for up-bringing and education of children deprived of parental care
The heads of the 38 of the Homes for up-bringing and education of children deprived of parental care have pointed that the institution actually does alternative social services in the community as of December 2005. It gives of week and day care in most of the cases. There is a day centre for the children at risk and their families to the Home for up-bringing and education of children deprived of parental care “Ludogorie” in Isperih. Actually some of the institutions as “Asen Zlatarov” in Sofia, “St. Dimitar Besarabovski” in Ruse, the Home for up-bringing and education of children deprived of parental care in Popovo, “Rada Kirkovich” and “Olga Skobeleva” in Plovdiv have the possibility and provide new forms of cares but the children are placed with the order of the Departments for child protection and they are called “children in specialized institutions” so as according to the financing requirements of the Ministry of education and science it is possible to assure support money only for children that are placed in the institution and according to them it is not possible to finance another services.

According to the heads of 74 of the Homes for up-bringing and education of children deprived of parental care the institutions have the possibilities, desire and the capacity to develop alternative of the institutional care services for children and families in the following directions – hour, day and week care; day centres for children in risk and children with damages; a crisis centre; groups for living alone and preparation for living.

4. Alternative forms of care for children deprived of parental care in the community

4.1. Day centres for children with disabilities (impairments); Crisis centres; Centres for social rehabilitation; Protected homes; Asylums for uncontrolled children

Another forms of alternative care for children that are observed and reported by the Executive Agency for Social Assistance are day centres for children with disabilities (impairments), crisis centres for children, victims of violence or traffic, centres for social rehabilitation and integration, protective dwellings and asylums for uncontrolled children. "Day centre" is a complex of social services, which create conditions for overall servicing of the users during the day, connected with conceding of food, satisfying of the every day, the health, the education and the rehabilitation needs, as well as need for organisation of the free time and the personal contacts.

19 centres are opened as of the year of 2003
3 new centres are opened in 2004
7 centres are opened in 2005
Another 5 centres are opened as of 01.11. 2006
The total capacity of the all 34 day centres in November 2006 is 1000 places and 847 of them are occupied.
The number of children at day centres for children with mental difficulties increases more than 2 times for the period.

"Crisis centre" is a complex of social services, conceded to persons, suffering from violence or victims of traffic, and directed to satisfaction of their every day needs and preparing of individual programmes for social integration.

The first 3 crisis centres start activities in 2006. Their funding comes from external donors during the first year of operation. They will be financed as a delegated to the municipalities’ state activity from 2007.

"Centre for social rehabilitation and integration" is a complex of social services, connected with implementing of rehabilitation, social-legal consultations, educational and professional training and orientation, preparing of individual programmes for social integration.

9 Centres for social rehabilitation and integration are opened in 2003
2 centres for social rehabilitation and integration are opened in 2004
3 centres for social rehabilitation and integration are opened in 2005
15 Centres for social rehabilitation and integration as of 01.11. 2006

The capacity of all 29 centres is 1179 as of November 2006 and the total number of the occupied is 924.

"Protected homes" are forms of social services, in which the people lead independent way of life, supported by professionals.

3 Protected homes are opened in 2004
12 Protected homes are opened in 2005
15 Protected homes are opened in 2006

The capacity of all 30 protected homes as of 01.11. 2006 is 254 and the total number of the occupied is 150.

Asylums for uncontrolled children are social assistance establishments where temporary and without fees are placed homeless children, until their parents or relatives come to pick them or until they are placed in health, social or education correctional establishment. There are 4 Asylums for uncontrolled children in the country at the moment.

1 asylum is opened in 2004
2 asylums are opened in 2005
1 asylum is opened in 2006

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9 SACp data.
4.2. Development of the foster family care in Bulgaria

4.2.1. Foster families

A new form of care – the foster families, have gained popularity and interest and raised comment in the recent years from the professionals and the society. With the adoption of the Law for Child Protection on 31 May 2000, the foster care is regulated as a legislative measure for placing children and an alternative of the institutional raising. According to the Bulgarian legislation, foster care is placing a child through a judiciary procedure at a family of spouses or with a single person on the basis of concluded contract. Until the court passes its judgment, the Social Assistance Directorates may place the child according to an administrative procedure.

The legal basis is developed in:

- Law for Child Protection (LCP) last amend.October 2006;
- Regulation of the Law for Child Protection 25.07. 2003;
- Ordinance on the criteria and standards for social services for children, November 2003

Placement of a child with a foster family is one of the child protection measures aiming at raising and bringing up of a child in a family environment.

Foster care is raising and bringing up of a child in a family environment, who is placed under the terms of the Child Protection Act in a family of two spouses or of a separate individual pursuant to a contract.

Placement of a child at a foster family may be: Long-term; Short-term; Urgent;

The placement of a child at a foster family is a measure for child protection and an alternative to the institutional bringing up with the acceptance of the Law for Child Protection. The foster cares are wide spread and well taken almost all over the world. In western European countries in which there are foster families for more than 20 years, all the children for which is not possible for their biological parents to take care of them are by foster families. These are predominantly children with serious physical or psychic disabilities, children with emotional and behaviour problems. The foster care is turned to professional care through qualification programs and to be a foster parent is a social profession. The thesis is that the foster children are with special demands and because of that they are in need of foster parents with special abilities exceeding those of the other parents.

The law regulates the functioning of a foster family but not the possibility for development of the foster care. A shortcoming in the regulation is the training, the evaluation, the support of the candidates and the approved families not to be done by the NGO as well as the lack of purposeful, financial security politics of the development of the foster care. The whole process from the information campaign to the placement and
support to the child and the foster family is performed by the departments for Child protection which have not enough resources, time, good training and experience.\textsuperscript{10}

Number of children that are placed at foster families

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of children</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>0</td>
</tr>
<tr>
<td>2001</td>
<td>Confidential data</td>
</tr>
<tr>
<td>2002</td>
<td>9</td>
</tr>
<tr>
<td>2003</td>
<td>5</td>
</tr>
<tr>
<td>2004</td>
<td>29</td>
</tr>
<tr>
<td>2005\textsuperscript{11}</td>
<td>13</td>
</tr>
<tr>
<td>01.11. 2006</td>
<td>27</td>
</tr>
</tbody>
</table>

The data are from the information cards coming annually in the State Agency for Child Protection by the different departments of child protection. Two children are placed for a short period of time at foster families.

The registered candidates for foster families are 56 in the country in 2005 but the confirmed families where a child could be placed are 44. The service “foster family” is not well known as a whole. This is proved by a few numbers of families that want to do the service. According to the legislation it is not possible for the relatives to be a foster family and they cannot receive financial help as such a family.

4.2.2. Placement at the homes of relatives

The placing of the children at the homes of close friends and relatives is a measure applied according to the Law for Child protection. With the adoption of the Law on 31 May 2000, relatives care is regulated as a legislative measure for placing children and an alternative of the institutional raising.

Table 1 and table 2 of the report give data on the number of children placed at the family of relatives and close friends could be observed.

The ratio between foster care (accommodation at the family of close relatives and in foster families) and the number of children placed in specialized institutions is illustrated in the following figure.

\textsuperscript{10} SACP report
\textsuperscript{11} data for 2005 and 2006 are from the Executive agency for social assistance.
The circumstances for financing by taking care of a child at a foster family or by a family of relatives are defined in the **Regulation for the implementation of the Law for Child Protection. Prom. SG. 66/25 Jul 2003, amend. SG. 24/23 Mar 2004, amend. SG. 31/8 Apr 2005**

Financial aid and/or aid in kind may be granted for support of the child and the family. The aid shall be designated for prevention and re-integration, the raising of the child by close friends and relatives and at foster families.

The financial aid could be:
1. monthly;
2. one-time.

Basis for determining the financial aid and the aid in kind is the guaranteed minimal income determined by the Council of Ministers pursuant to art. 12, para 3 of the Law of the social support.

For children placed for raising by close friends and relatives monthly aids may be granted if the average monthly income of each of the spouses or of the parent/parents living together, and of the children under age is lower than the 5-foldsize of the guaranteed minimal income.

The size of the monthly aid shall be determined at a proposal of a social worker of the department for protection of the child and shall be differentiated in accordance with the age of the child:
1. up to 7 years - up to the 3-fold size of the guaranteed minimal income;
2. from 7 to 14 years - up to the 3.5-fold size of the guaranteed minimal income;
3. from 14 to 18 years - up to the 4-fold size of the guaranteed minimal income.

For children with physical and psychic handicap, established by the competent health
authorities, paid to the monthly aid shall be an extra amounting to 75 percent of the guaranteed minimal income, regardless of the income of the family.

The alternative services are provided by public or private providers. The state control is done by the system of registration and licensing of the providers as well as by control over the criteria and standards for services for children.

The process of licensing of the distributors of social services for children starts in January 2004 according to the changes in The Law for Child Protection and The Regulation for the appliance of The Law for Child Protection and the implementation of the article 17a, point 5 of the Law for Child Protection. 61 applications come in the State Agency for Child Protection for licensing of different organizations as distributors of social services for children in 2005. The Chairman of the Agency issued 48 licenses and refused the issuing of 4. The total number of the social services with licenses is 70, so as the highest percentage of them is for the social service Centre for social rehabilitation and integration – 24.2%. The second position is for the social service “Centre for consulting and support (for children at risk, children that are victims of violence, with emotional and behaviour problems) – 21.4%. Followed by: Training, consulting and support of the candidates for foster families, foster families and their families – 15.7%; Centre for consulting and support of candidate adopters and the adopters – 8.6%; Social assistant – 7.1%; Day centres (for children with disabilities, in unequal social status) – 5.7%; Crisis centre – 4.3%; 2.8% of them have the social services as: Personal assistant, Protective homes and Moving centre. The lowest percentage is for the social services as – House assistant, Hot telephone line and a Centre for temporary placement. The information about the issued and the refused licenses is published in the web site of the State Agency for Child Protection and is actualized every month.

A lot of measures for protection in the family environment are also defined in the Law for Child protection [http://www.stopech.sacp.government.bg/file.php?fid=94](http://www.stopech.sacp.government.bg/file.php?fid=94) and the Child protection Depatrments’activities are reported in the SACR regular annual reports.

5. Adoption in Bulgaria: procedures and legal regulation

Adoption Procedures

Legislation in force

The legal regulation about adoptions is regulating in the following laws:
- Family Code
- Civil procedure code
- Ordinance for the conditions and set of rules for keeping and preserving the register of the children for full adoption
- Ordinance for the conditions and set of rules for giving the agreement of adoptions of the Bulgarian citizen by a foreigner
- Law for Child protection
- Law for Civil registration
- Regulation for applying the Law for Child protection
- Regulation for the activities of the Council for adoption
- Regulation for the activities of the Intercountry Adoptions Council
The Family Code and the Law for Child Protection set out the legal framework for national and intercountry adoptions. Both acts incorporate the state duties under the 1989 UN Convention on the Rights of the Child and the 1993 Hague Convention on Intercountry Adoptions to which Bulgaria is a state party. In addition to both laws there are few by-laws regulating the powers of the competent bodies and the procedures before them. Such are the Ordinance No.3 of the Ministry of Justice which sets out the conditions for granting consent for a Bulgarian national by a foreigner, the Ordinance No. 4 sets out the conditions and the order for keeping the register of children for full adoption, the Regulation regarding Adoption Councils, and the Regulation regarding Intercountry Adoptions Council.

All by-laws have been adopted since 2003 when major amendments to the Family Code came into force. The amendments aimed to respond to international criticism that adoption procedures in Bulgaria have not been in line with the international standards, have failed to secure the best interests of the child and have contributed to corruption and abuses.

*Legal Guarantees against Abuses in the Adoption Procedures*

Adoption relates to personal and family relations. For that reason adoption has been traditionally regulated with special care. Examples of consideration on protection of personal and family rights are the requirements for parents and adoptee to consent for the adoption as well as for district court to rule for the adoption in a session in camera after hearing out the conclusion of the public prosecutor. Also regional directorates for social assistance are required to supervise the process of bringing up of the child and the observation of his/her rights and legitimate interest for a period of 2 years after the court’s decision for adoption and to draw up annual reports. The Family Code provides protection for personal data, too. On the other hand it entitles adopters and the adoptee with a right of information about the origin of the adopted when important circumstances require so.

The 2003 legal amendments aimed at achieving transparency and preventing abuses by prohibiting business activities related to the adoption, by making adoption conditional on registering of both children placed for adoption and candidate adopters, by providing for court’s supervision of registration procedures and by requiring parents to declare that consent granted by them is not bound with a material benefit. Newly established Adoption Councils consist of members from different public agencies in order to secure transparency and to prevent the accumulation of decision making powers in the hands of one body only, which very often leads to corruption practices. Strictly public control is secured also through setting out requirements for accredited agencies to provide information to foreign candidate adopters about adoption procedures, the amount of state taxes and of accredited agencies’ fees, required documents and the adoption consequences. The Ministry of Justice keeps a register of accredited agencies for interlocutory adoption, which is posted on Internet.
Description of the procedure
According to the Family code a person could be adopted if only the person is under the age of 18 by the sending of the application.
The role of the departments of “Social assistance” as a body for child protection is very important. One of the most significant changes in the field of child adoption in 2003 is the dropping out of the requirement the heads of the specialized institutions for children to give an agreement for the adoption of the children placed at these homes. A set of authorizations have been given to the Divisions for child protection to the Departments of “Social assistance” by the protection of the rights of the children and the selection of the most appropriate adopters according to the interest of the child.
A significant point is the creating of registers for the children that could be adopted by the conditions of full adoption and registers for candidate adopters. The principle is that it is impossible to adopt a child if the child is not entered in the register for children for full adoption.
Except that the candidates for adopters should be entered in the register in order to be able to adopt a child.
Authorizations connected with making of social research of the candidate adopters are signed with a view to be observed the best interest of the child; preparation of reports for the children that could be adopted; giving of permissions for entering in the register of candidate adopters; collaboration with the children, candidate adopters and the adopters; observation of the adaptation of the child at the new family in two years after adoption period.
The Regional department of social assistance keeps and saves the registers of the children that could be adopted by the conditions of full adoptions and the registers of the adopters of full adoption.
The head of the regional department of “Social assistance” gives the permission or makes a motivating refusal for entering the candidate adopters in this register. The candidates could ask for entering in the registers of other regional departments for social support so it is compulsory in such cases in the permission to be entered those registers in which the person wants to be entered in.
Some of the most important authorities in the process of adoptions are the Councils for adoption which are created to the all regional departments for social support in the country and the Council for international adoptions to the Ministry of justice. The first ones have a leading role in inner country adoptions. The Council for international adoptions is the body that makes suggestions to the Minister of Justice for determination of appropriate adopter – foreigner and gives an opinion to the minister of justice about the applications of the Bulgarian citizens for the adoption of a child – a foreign citizen. The Council consists of chairman – the vice-minister of justice, and members – by one representative of the Ministry of justice, Ministry of health, Ministry of science and education, Ministry of labour and social politics, Ministry of Interior and The State Agency for Child Protection.
All legal documents as well as procedures on international adoptions are presented at the Ministry of Justice web page: http://www.mjeli.government.bg/structure.aspx?page=17
At the same page the data about the activities of the Intercountry Adoptions Council.
The adoption in Bulgaria is regarded not only as a family relationship regulated by the Family Code but also as ways and means to provide child protection set out by the Law for Child Protection. In the latter case recourse to adoption is possible in cases of neglect or abuse by parents. In both cases adoption aims to secure the best interests of the adoptee. In accordance with this principle registered candidate adopters are not entitled by law to be nominated by all means to adopt a child.

**Number of adopted children by years**

<table>
<thead>
<tr>
<th>Adopted / Years</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>In the country</td>
<td>710</td>
<td>501</td>
<td>645</td>
<td>642</td>
</tr>
<tr>
<td>International</td>
<td>912</td>
<td>992</td>
<td>236</td>
<td>108</td>
</tr>
<tr>
<td>Total</td>
<td>1622</td>
<td>1493</td>
<td>881</td>
<td>750</td>
</tr>
<tr>
<td>Percentage of the adopted children of the total number of the children in institutions</td>
<td>13,71%</td>
<td>13,83%</td>
<td>8,57%</td>
<td>7,66%</td>
</tr>
</tbody>
</table>

Data source: For the year of 2002 and 2003 the data about the national and international adoptions are taken from the information cards of the State agency for child protection.

For the year of 2004 and 2005 the data about the adoptions in the country are taken from the report cards of the activities for child protection of the Regional directorates for Social assistance because of the amendments in the Law, while the data for international adoptions include the number of agreements of the Minister of justice.

Persons willing to adopt a child under conditions of full adoption are required to file an application with the regional directorate for social assistance at their permanent address to obtain permission for entry in the register of the persons willing to adopt a child for full adoptions. The register is kept by the regional directorates. Upon receiving the application the latter carry out social study of the persons. The permission is issued for a period of two years.

When children are placed in a specialized institution with consent for full adoption given by the parents or when parents are unknown, or the child have not been asked for by his/her parents within 6 months after the expiry of the time-limit of his/her placement, or when parents are deprived of their parental rights the regional directorate for social assistance or the regional public prosecutor request the court to issue a decision for the child to be registered for full adoption. The public prosecutor, the parents, the child, provided he/she has accomplished 14 years of age as well as a representative of the regional directorate for social assistance participates in the court proceedings. The consent of the parents of the child to be adopted and the child him/herself if he/she has accomplished 14 years of age is required for adoption. The consent of the person to be adopted is to be given personally in court. The consent of the other persons can be given also in writing with a notary certified signature or through attorney at hoc.
Adoption Council, which is established with each regional directorate for social assistance, nominates for each child from the register the eligible parent from the register of candidate adopters. For its decision the Council, which consists of members from various public bodies, takes into consideration adopters’ qualities. It assists the latter in establishing contact with the child. When the candidate adopters are willing to adopt the child, the Adoption Council files an application before the district court. The district court rules for the adoption.

The Ministry of Justice keeps a register of foreign candidate adopters willing to adopt a child and a register of the children who can be adopted by foreign citizens.

The Intercountry Adoptions Council, which is established with the Ministry of Justice and consists of representatives of different ministries, makes a proposal to the Minister of Justice to nominate proper adopters. The Minister approves or rejects the nominations.

In case of an approval a report about the child and other relevant information are forwarded to the competent central authority of the receiving state and/or to the accredited agency. Within two months the nominated candidate adopters are requested to inform in writing the Ministry of Justice whether or not they would like to adopt the child. The candidate adopters should have been in contact with the child for at least 5 days before granting consent. When they are not in position to meet the child, they are requested to present a notary certified declaration that they accept all risk of the past and future physical and psychological state and development of the child. In this case a representative of the accredited agency chosen by the adoptive parents meets the child. The Ministry of Justice provides assistance in establishing of the contacts.

The administrative procedure ends with a written consent for adoption by the Minister of Justice. After being notified about the consent, nominated candidate adopters shall file an application for adoption with Sofia City Court and pay the state tax.

6. Care in terms of protecting children from violence

With the adoption of the Child Protection Act (CPA) the question of protection against violence is raised.

**Protection against Violence-principles**

Every child has a right of protection against involvement in activities that are harmful to his or her physical, mental, moral and educational development.

Every child has a right of protection against all methods of upbringing, that undermine his or her dignity; against physical, psychical or other types of violence; against all forms of influence, which go against his or her interests.

Every child has a right of protection against the use of children for purposes of begging, prostitution, dissemination of pornographic material, receipt of unlawful pecuniary income, as well as protection against sexual abuse.

Every child has a right of protection against forcible involvement in political, religious and trade union activities.
Through the CPDs the modern social work with children and families is performed. The CPD’s priorities are: prevention of abuse, of abandonment, special work with street children, and reintegration of institutionalized children into their biological families. The CPDs are staffed with social workers, psychologists and lawyers. The CPD work on prevention of abuse includes:

1) Sexual abuse prevention – informing the children about their rights, about their rights over their own bodies, learning to understand abuse and counteraction skills, informing and teaching those working with children how to recognize child abuse; training professionals working with children.

2) Early prevention on signals of child abuse;

3) Enforcing protection measures in the cases of reported abuse or high risk of such in the child’s usual environment.

4) The role of the CPD is very important in court cases which concerns children. The CPD drafts social reports which assist the court in taking decisions in accordance with the child’s best interest.

5) In cases of child abuse, CPD work more and more follows the Law for child protection procedures which is a necessary precondition for the assurance of child’s best interest. Mechanisms have been provided for and developed for enforcement of the child protection measures, including emergency cases. In the latter police protection is used.

6) Procedures, rules and methodology for enforcing child protection measures have been developed. Ordinances have been adopted on the prevention of abandonment of children in institutions, on foster care, placement with relatives and friends, on police protection, on specialized protection in public places.

7) Minimal standards for child services have been adopted which are a step towards enhancing the quality of child care;

8) The most serious consequence of the legislation is the introduction of the new philosophy and methodology in the concept of the child in society and societal care for it.

The newly created child protection system:

- Recognized the existence of the problem and the responsibility of the society as a whole and the state in particular; child abuse is no longer a private problem of the competence of parents and relatives only;

- The provided definition of "abuse" of a child is: “every act of physical, mental or sexual abuse, neglect, commercial or other exploitation leading to an actual or potential damage to the health, life, development or dignity of a child, performed in the school or social environment.”.

- Mechanisms established for signalling and acting in cases of abuse.

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12 Ordinances on the terms and conditions for the enforcement of measures for the prevention of child abandonment and placement in institutions, as well as their reintegration. Adopted by a Decree of the Council of Ministers № 181 of 11.08.2003, promulgated in the SG, issue number 74 of 22.08.2003, in force as of 22.08.2003. т. 1, p. 3, № 190т

The control of all activities in the field of child protection is defined by the Law for Child protection and other by the law documents. It is impossible within the scope of this report to cover all activities, but the information available in official institutions could be provided in addition if required.

The results from the questionnaires, implemented by The state agency of child protection in the institutions for children are available on the website of the State Agency of child protection [WWW.SACP.GOVERNMENT.BG](WWW.SACP.GOVERNMENT.BG)

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Child protection system is an aggregate of different policies and activities so it is impossible to have a quantitative assessment. Application of quantitative methods and indicators only does not give a whole characteristic of the child protection system. In order the necessary development and quantity of information to be available for the child protection system, the establishment of the co-operation between the Project MONEE and the Ministry of Labour and Social Policy and the State Agency of Child Protection is of great significance.

The development of child protection indicators reflects on different legislative and policy framework as well as different priorities for the protection and care of children.

Child protection is a system that should be monitored in a broader political, social and economic context.

For each indicator at least the following information has to be taken into consideration:

- Importance of the indicators
- What is measured
- Factors that might affect the comparability level
- The opinions of responsible institutions that provide the state policy for child protection

If we want to ensure the data quality, the rules for data collection, data collection standards then data collection table set should be elaborated and agreed between the countries as applicable.

At a country level the work should be done in accordance with the functions and obligations that the national authorities have according to the national legislation.

The basic tasks about the care and increasing the well-being of the children are laid down in “The government strategy and plan for the activities for protection the children’s rights in Bulgaria”. These are deinstitutionalization, developing of alternative forms of care and different social services for the children and their families.