Safeguards for the Protection of the Fundamental Rights of Children in Conflict with the Law

Monitoring findings and recommendations from NPM Bulgaria

Second annual meeting of the NPMSEE Network
Sofia • 10–11 November 2026

Three types of facilities and their legal grounds

Juvenile correctional facilities	Custodial sentences and, in practice, children held on remand.
Educational and socio-pedagogical boarding schools	Court-ordered placement as an educational measure.
Temporary placement homes	Short-term placement under the Ministry of the Interior.

UN Convention on the Rights of the Child, Article 37

Juvenile correctional facilities

Custodial sentence	Children serve the sentence in a juvenile correctional facility until they turn 18.
Education exception	They may remain until age 20 to complete education or training, with the required recommendation and authorisation.
Daily safeguards	Observation by an educator, doctor and psychologist on admission, and at least two hours outdoors each day.

Criminal Code, Article 65 • Execution of Punishments and Detention in Custody Act, Articles 186–194

Procedural safeguards in criminal proceedings

2023 amendments	Information on rights, accompaniment, a medical examination and individual assessment.
2026 amendments	Information on the proceedings, detention conditions and limits, and how to appeal or request a change.
Further medical examination	An additional examination is provided when circumstances warrant it, subject to Article 385g.

Admission and individual support

Information on arrival	Explain rights and obligations in an accessible way and give children time to ask for clarification.
Individual assessment	Use individual meetings, psychological assessment and risk assessment to plan support.
Support during the stay	Provide adjustment programmes, activities and preparation for release.

Correctional facilities — education and family contact

Interrupted education	Admission midyear, release and transfer can interrupt schooling and make it difficult to complete the year.
Literacy and vocational training	Formal grade attainment may overstate actual literacy. Entry requirements and short stays can limit access to training.
Infrequent family visits	Financial and practical barriers make it difficult for some families to maintain regular contact.

Correctional facilities — recommendations

Education and healthcare	Provide accessible vocational training and ensure regular medical and psychiatric examinations.
Family contact	Address the practical barriers that make visits infrequent.
Preparation for release	Involve schools and social services before the child leaves.

Implementing regulations for the execution of sentences, Article 203

Educational and socio-pedagogical boarding schools

Who may be placed	Children over eight and adolescents, subject to the statutory conditions.
Applicable framework	Placement is an educational measure under national legislation.
Duration	Normally up to three years. An extension at the pupil's request is possible in the cases specified by law.

Placement grounds differ between the schools

Socio-pedagogical schools	The law also permits placement based on circumstances indicating a risk of conduct classified as antisocial.
Educational boarding schools	The law requires such conduct, insufficient prior measures specified by law and no suitable social environment.
Placement decision	Local commissions propose the measure. The court decides and the Ministry of Education and Science arranges placement.

Act on Combating Antisocial Behaviour by Minors and Juveniles, Article 28

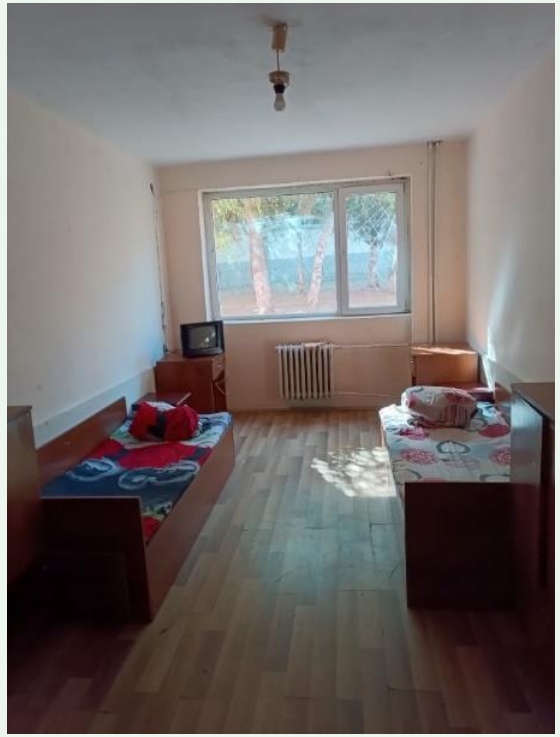
Boarding schools — main problems



Varnentsi (2025) • exterior



Varnentsi (2025) • bedroom



Podem (2023) • bedroom

Poor living conditions, gaps in education and healthcare, and barriers to family visits

NPM inspection report on Varnentsi, pp. 4 and 6 • NPM Annual Report 2023, p. 79

Boarding schools — protection and access to remedies

Community support	Children can enter residential placements when community services cannot meet their needs.
Complaints and protection	Children need accessible ways to report harm. A written procedure alone can exclude children with literacy difficulties.
Judicial safeguards	Access to judicial review and respect for private communications remain essential safeguards.

Boarding schools — recommendations

Close the boarding schools	Fund alternatives, including specialist services for children and families.
Introduce diversion	Replace the existing legislation and develop specialised child justice.
Support reintegration	Provide vocational training, psychosocial support and services for families.

Temporary placement and police protection

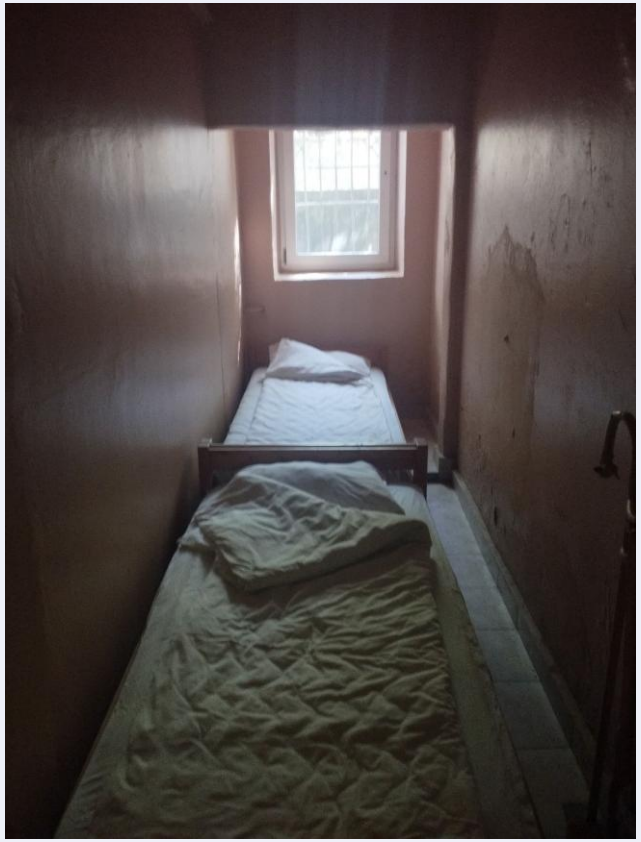
Placement time limits	Normally up to 15 days. Prosecutor's authorisation beyond 24 hours. Exceptional extension up to two months.
Police protection	Separate emergency measure for up to 48 hours.
Scope of monitoring	The NPM inspected all five homes in 2025.

Act on Combating Antisocial Behaviour, Art. 37 • Child Protection Act, Art. 41

Temporary placement homes — rules and practice

Disciplinary isolation	The regulations allow isolation in a separate room for up to three days.
Different placement grounds	The same homes may receive children granted police protection and children placed on other grounds.
Training and oversight	The NPM identified gaps in specialist training and requested guidance, training plans and inspection records.

Temporary placement homes — main problems



Gorna Oryahovitsa • room



Plovdiv • sanitary facilities

Disciplinary isolation under the rules

Gaps in training and specialist care

Poor living conditions in inspected homes

NPM inspection report on the Plovdiv home, pp. 4–5 • Gorna Oryahovitsa photo supplied for this meeting

Temporary placement homes — access to healthcare

Initial assessment	Staff shortages can delay medical examinations and identification of immediate needs.
Specialist support	Access to psychologists and child psychiatrists is limited where dedicated posts or arrangements are missing.
Continuity of care	Staffing arrangements should support follow-up throughout the child's stay.

Temporary placement homes — recommendations

Revise the rules	Provide appropriate crisis accommodation for children who need protection.
Strengthen staffing	Train staff and secure access to a psychologist and a child psychiatrist.
Improve conditions	Provide personal space, storage and basic supplies.

Recommendations for follow-up across the three settings

Correctional facilities	Maintain education and healthcare during custody and arrange support before release.
Boarding schools	Fund community alternatives and strengthen access to judicial review.
Temporary placement homes	Revise placement and disciplinary rules, improve staffing and upgrade living conditions.