

- ▶ Every child has the right to be treated with dignity and respect!
- ▶ Every child has the right to develop to their full potential and the right to be protected!
- ▶ Every child has the right to grow up in a family environment or in a family-like environment!
- ▶ Every child has the right to participate fully in his or her family's life, and in cultural and artistic life!
- ▶ All children have equal rights!
- ▶ Human rights begin with the rights of the child!

**OMBUDSPERSON OF THE
REPUBLIC OF BULGARIA**



**OMBUDSPERSON OF THE
REPUBLIC OF BULGARIA**

22 George Washington Str., 1202 Sofia, Bulgaria
Phone: +359 2 / 81 06 955
Fax: +359 2 / 81 06 963
priemna@ombudsman.bg ; www.ombudsman.bg

The rights of the child

Interpretation of the *UN Convention on
the **Rights of the Child***
and a reading for
children and adults



OMBUDSPERSON OF THE
REPUBLIC OF BULGARIA

Sofia'2017

The rights of the child

Interpretation of the *UN Convention on
the **Rights of the Child***
and a reading for
children and adults



**OMBUDSPERSON OF THE
REPUBLIC OF BULGARIA**

24 HOURS DAILY
Sofia'2017

Second revised
and extended edition

Every child has the right to love, attention, and care

Every child has the right to be happy

“The Rights of the Child” booklet was published originally in 2010 by the first National Ombudsman of the Republic of Bulgaria, Mr Ginyo Ganev. My team and I have prepared this second revised and extended edition within the framework of the national campaign titled Our Child 2017. You will find herein abundant useful information on your rights, about the Ombudsperson and children, about the child protection bodies, about the laws, and about the United Nations Convention on the Rights of the Child.

As early as when I assumed the office of Ombudsperson, I made a pledge that the protection of children’s rights would be my truly top priority. I called this priority “In Our Hands” because it is really on us, adults, to provide children with support and with the right conditions for developing their potential. This applies to children living in and out of institutions, children whose parents are divorced, children at risk and children in conflict with the law, the ‘lonely children’, whose parents are working for their living abroad and who have been left in other people’s care. It applies to each and every Bulgarian child. The solutions to children’s issues, as well as the protection of their rights, are everyone’s responsibility. The way a society treats children is indicative of its attitude towards its future.

The social environment we want to build for our children ought to be based on respect, dignity, and acceptance of every child’s differences. An environment of intolerance to violence against children and a society striving to ensure a happy childhood for every child. Child welfare and well-being along with every child’s right to a family and family support should become a primary concern of our society. Let us help every child feel appreciated and valued, and believe in his or her own abilities.





I believe strongly that the institutions ought to be close to children, to listen to them and to understand them. This, however, is only possible if we, adults, learn to perceive children as our partners when discussing issues that affect them.

I sincerely hope that this booklet will generate a spirited and exciting process of reading and discussion among children and their parents, relatives, friends, and teachers. It is my intention with this brochure to support children and young people with acquiring knowledge and understanding of their rights, which would eventually transform also into responsibilities both towards their own rights and towards the rights of every child and every person.

I would like to thank all those who have supported me in my mission as Ombudsperson to safeguard the rights and interests of every Bulgarian child.

Special thanks to my first child ambassadors – Niya, Emma, Ivanna, and Ivetta, who collaborated also as co-editors of the booklet.

I want to extend my sincere appreciation to UNICEF Bulgaria, to all non-governmental organisations active in the field of children's rights for the partnership and for their courage to change the destiny and the future of our children. I do appreciate also the institutions' efforts to guarantee every child's best interest.

I dedicate this little book to all children in appreciation of our memorable meetings, of their wonderful ideas and smiles, and of their power to teach me hope.

July 2017

**Maya Manolova
Ombudsperson of the Republic of Bulgaria**



The United Nations Convention on the Rights of the Child

The Convention was adopted by the United Nations Organisation's General Assembly on 20 November 1989.

It was ratified by the Grand National Assembly of the Republic of Bulgaria on 11 April 1991. According to Bulgaria's Constitution, it became part of our country's domestic law.

The Convention is an international human rights treaty signed by almost all countries of the world. It is a binding agreement between the countries to obey the same laws on children's issues. When the government of a country signs and ratifies (endorses) a convention, it becomes its legal commitment and the country assumes an obligation to obey its provisions in all its actions. A country would often adapt and amend its legislation to support the implementation of the convention's goals.

The Convention is based on the 1959 *Universal Declaration of Human Rights*, which proclaimed that children's are entitled to special care and assistance.

The Convention comprises the countries' commitments to children. Its 44 articles clearly demonstrate these commitments. It governs all civil, political, social, and economic rights of the child, which are applicable in keeping with four guiding principles:

- the principle of non-discrimination;
- the best interest of the child is the paramount consideration in all matters affecting the child;
- every child has the inherent right to life, survival, and development;
- children have the right to participate and to be heard.

These principles govern the actions of all stakeholders concerned, including of children themselves in the enjoyment of their rights to survival, development, protection, and participation.

Three optional protocols to the Convention have been adopted so far. Our country has acceded to two of these.

- Optional protocol to the *Convention on the Rights of the Child* on the involvement of children in armed conflict;
- Optional Protocol on the sale of children, child prostitution and child pornography;
- Third Optional Protocol on the procedure for filing complaints to the Committee on the Rights of the Child (Protocol on a communications procedure). Bulgaria is currently in the process of acceding to the Third Optional Protocol.



The Rights of the Child and Why It Is Important for You to Know Them

Your child rights are fundamental human rights enhanced by additional protection and care, which you need to be able to grow up to become a healthy adult and assume your responsibility in society.

No matter where you live, what language you speak, who your parents are, what they do, and what their religion is, whether you are a boy or a girl, whether you are a child with special needs or whether you belong to a minority group, you have the same rights as all other children and you should not be treated differently. No one has the right to violate or infringe upon your rights, just as you have to learn to respect the rights of others.

By becoming familiar with your rights and understanding them you will acquire skills and capabilities to stand up for your rights in a democratic and equitable manner. This allows you to develop within yourself a strong feeling for equality between children, human dignity, and tolerance.





24

October
United Nations
International Day

“Child rights are at the heart of a strong but fair society. If we place every child’s interests at the centre of our programme for the future, we are not just fulfilling our duty to children’s rights, but we are also building our own future.”

*Anthony Lake,
UNICEF Executive Director*

UNICEF is the United Nations Children’s Fund. It was established in 1946 by a unanimous decision of all member states. In 1965, UNICEF was awarded the Nobel Peace Prize.

Today, more than 70 years after it was established, UNICEF is the strongest advocate for the rights of children across the world and a leading organisation active in over 190 countries. UNICEF activities are governed by the *UN Convention on the Rights of the Child*.

UNICEF’s indispensable mission is to unite the world with a view to ensuring every child’s right to health, education, equality, and protection!

UNICEF BULGARIA

Sofia 1504, 87 Kniaz Alexander Dondukov Blvd.

Phone: +359 2 / 96 96 208

Fax: +359 2 / 96 96 209

<https://www.unicef.bg>



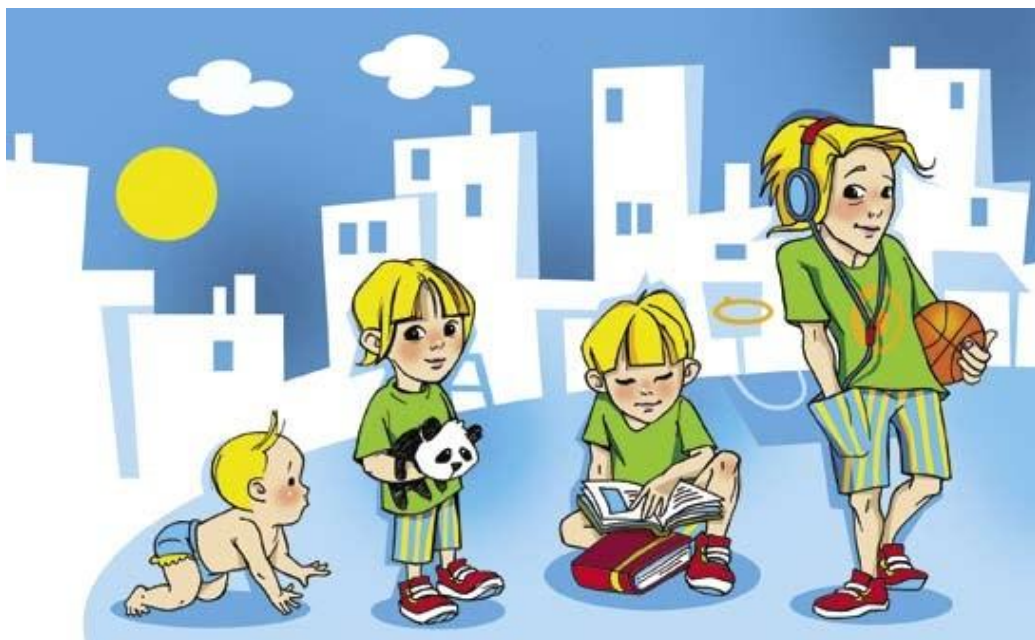
Respecting and Ensuring Your Rights

Bulgaria's government and institutions have a duty to respect and ensure your rights as recognised by the UN Convention in all areas of social and civic life. This is why they take action in order to ensure the care and protection necessary for your well-being. They provide you also with a favourable economic, social, and cultural environment, education, support, safety, and security to enable you to develop your skills and abilities. New laws are enacted and policies are developed in order to ensure the full implementation of the Convention.

The Republic of Bulgaria has a system of bodies in place tasked with protecting your rights and interests. You may turn to them for protection whenever you feel in danger or in need of advice. In all their activities, these child protection bodies ought to respect the rights and responsibilities of your parents and caregivers, by assisting and supporting them.

“Children’s development and the protection of their rights is a national priority requiring concentration of resources, constant political and public attention, and maximum policy coordination.”

National Strategy for the Child 2008–2018



The Ombudsperson and Children

The Ombudsperson of the Republic of Bulgaria defends citizens' rights and children are most in need of special attention and protection of their rights. For that reason, the *Ombudsman Act* has imposed on the Ombudsperson a duty to protect your rights and interests.

The Ombudsperson oversees the implementation of the *UN Convention on the Rights of the Child*. She or he exerts influence on the activities and policies of all responsible institutions, so they could be more efficient and favourable for you and your family. Should the case so require, the Ombudsperson submits suggestions to the Parliament to amend laws. She or he elaborate special reports on the situation of the rights of different groups of children so that the child protection bodies and the government can take action. The Ombudsperson organises campaigns and mobilises public resources.

The Ombudsperson's mission requires her or him to render children's rights and interests more visible to both the state and society. Toward this end, she or he works in partnership with children, parents, non-governmental organisations, and institutions.

The Ombudsperson values very much your opinion and vision regarding your rights, how they should be better protected, and how to change the environment that you develop in. Therefore, should you have any worries, if there is any risk for you, or if you want to talk about violence, bullying, and aggression, about the school you go to, the hospital you are being treated at, about any problems you are faced with in your family or in the street, contact the Ombudsperson and you can count on her or his support.





Ombudsperson of the Republic of Bulgaria

The Ombudsperson is a supreme and independent constitutional body elected by the National Assembly for a five-year term of office. She or he safeguards citizens' rights and freedoms whenever they are infringed on or threatened by action or inaction of the State and local authorities, as well as by the persons tasked with providing public services. Hence, she or he acts as an intermediary between citizens and the institutions.

To perform her or his functions, the Ombudsperson receives, examines and assesses complaints from citizens and conducts inquiries into them. Whenever infringements on citizens' rights have been identified, the Ombudsperson makes appropriate recommendations and delivers special opinions. Any natural person, regardless of nationality, sex, age, political affiliation or religious beliefs may turn to the Ombudsperson and file a complaint.

The Ombudsperson has an extremely important role to play as the defender of child rights, of the rights of persons with disabilities, and of all vulnerable groups.

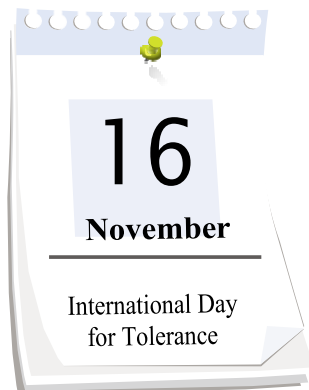
Sofia 1202, 22 George Washington Str.

Phone number: +359 2 / 81 06 955

Fax: +359 2 / 81 06 963

<http://www.ombudsman.bg/>





Bulgaria has passed a special law – the Protection against Discrimination Act, which provides:

“Any direct or indirect discrimination based on any ground such as gender, race, nationality, ethnicity, human genome, citizenship, origin, religion or belief, education, convictions, political affiliation, personal or social status, disability, age, sexual orientation, marital status, property status, or on any other grounds established by law or by an international treaty to which the Republic of Bulgaria is a party, shall be prohibited.”

Commission for Protection against Discrimination, established in 2005 with the enactment of the *Protection against Discrimination Act*.

The Commission is an independent specialised state body for prevention of discrimination, protection against discrimination and ensuring equal opportunities. Any citizen may turn to the Commission and request to be protected against discrimination.

Sofia – 1125

35 Dragan Tsankov Blvd.

Phone: +359 2 / 80 73 030

<http://www.kzd-nondiscrimination.com>



The Principle of Non-discrimination

Your country's government must respect and ensure your rights by taking appropriate measures to ensure your protection against all forms of discrimination.

No child should ever be subjected to unfair or unequal treatment either because of their own origin, skin colour, sex, language, religion, social or economic situation or disability or that of their parents or legal guardians.

Therefore, the principle of non-discrimination guides every action and decision of professionals working in the area of child rights.



Child Protection Act

“The best interest” represents an assessment of:

- a) the child’s desires and feelings;
- b) the child’s physical, psychological, and emotional needs;
- c) the child’s age, sex, past experiences, and other characteristics;
- d) the risk or the injury that has been or is likely to be caused to the child;
- e) the parents’ capacity to look after a child.





The Best Interests of the Child

Your interests are a primary consideration in all actions affecting you regardless of whether they are taken by public or private social assistance institutions, by the courts, or by the administrative or legislative bodies. When taking a decision concerning you they should always consider how it would affect your development and well-being, taking into account the rights and duties of your parents, legal guardians, or other individuals legally responsible for you.

Your best interests include your health, high-quality education, your feeling that you are growing up in a family and in a country that respect your rights and endeavour to protect them.

An assessment of your best interest is conducted on a case by case basis in view of the specific circumstances related to your individual abilities, age, sex, maturity, experience, disability, as well as your social and cultural environment.

Council of Europe – an international political organisation of the countries of Europe, which encourages cooperation between all European countries in the areas of law, human rights, democratic development and cultural cooperation. One of the Council of Europe's programmes is "*Building a Europe for and with Children*".

The Committee of Ministers of the CE adopted a new *Council of Europe Strategy for the Rights of the Child (2016-2021)*. It was launched at a high-level conference held in Sofia on 5 and 6 April 2016. After that it has been referred to by everyone as Sofia Strategy for the Rights of the Child.



Giving Children's Views Due Weight

The child's right to freedom of expression

You have the right to form your own views, the right to express them freely in all matters affecting you, and your views ought to be given due weight in accordance with your age and maturity. No one has the right to downplay your opinion.

The state should encourage you and should ensure that you have an environment allowing you to exercise this right of yours by amending its legislation and policies. Steps should be taken to integrate children's participation in all areas affecting them.

You have the right to be heard in any judicial and administrative proceedings affecting you. These proceedings should be adapted to you taking into consideration your age and maturity.

You are entitled to effective complaint procedures in all areas of your life – in the family, in cases of alternative care, in all institutions, which have responsibilities to protect you and your rights. The Ombudsperson is one of these institutions, which responds to children's concerns and problems and you can always turn to her or him. You can find out how to do this from the special video clip that the Ombudsperson has produced together with popular and loved celebrities.

[Find out more – #нашетодеце \(#ourchild\)](#)

“My name is Maya Manolova and I am the Ombudsperson of the Republic of Bulgaria. It is a difficult word but let us talk about it. My mission is to defend citizens' rights and children are most in need of special attention and protection of their rights. Therefore, if you worry about anything, you could contact me and we could talk – about violence, about bullying and aggression, about your school or the hospital you are being treated at, or about the problems faced by your family. And you can count on my support. If you don't have a phone, you could share with your teacher and ask her or him to assist you. Or you could seek the support of another adult whom you trust. And should you have any problems at school, please share them first with your family. You could then make a phone call together or send a letter. You could contact me via the internet as well. I have a reception office, which is open daily. If you are unable to come on your own, ask an adult to accompany you.”

Child ambassadors of the Ombudsperson – defenders of children's rights. This is the National Ombudsperson's first project designed to actively involve children as experts on various topics. Because children do know best what they need.

A child ambassador's rights and responsibilities:

- Help other children to become familiar with their rights, to talk about these rights and to stand up for them;
- Discuss together ideas on improving the school, neighbourhood, and playground environment and present their ideas to adults who could effect changes;
- Encourage children to believe in themselves, to pursue their dreams and face the future bravely;



The Right of the Child to Participate

What is children’s participation? It is an informed and willing involvement of all children, including the most marginalised and those of different ages and abilities, in any matter concerning them either directly or indirectly. The right of the child to be heard is set forth in Article 12 of the *UN Convention on the Rights of the Child*, which provides that every child has the right to express her or his own views in all matters affecting the child, including in any judicial or administrative proceedings, and the views of the child ought to be given due weight. (UNICEF)



Your right to participate ought to be guaranteed:

- ▶ in all procedures for protection (care) and adoption;
- ▶ in the exercise of parental rights and access to civil proceedings;
- ▶ in matters related to education;
- ▶ in the provision of healthcare/informed consent to treatment;
- ▶ within the family;
- ▶ in asylum and immigration procedures;
- ▶ in criminal proceedings;
- ▶ in other civil and administrative proceedings.

Your opinion matters!

We asked Niya, a child ambassador of the Ombudsperson, “What is your view of the right of the child to participate?”

“Every child must be entitled to have a say and to participate in matters affecting her or his life.

The state ought to encourage, involve, and ensure children’s real and meaningful participation. This is essential to ensure the implementation of all other child rights.”

- Contribute to the promotion of the Ombudsperson’s role as defender of children’s rights and help children to turn to the Ombudsperson Institution;

Any child willing to assume this responsibility may write a letter to the Ombudsperson and explaining why she or he wants to become a child ambassador. The Ombudsperson will get back to you.

e-mail:

press@ombudsman.bg

or at this address:

Sofia 1202, 22 George Washington Str.



Family Code of the Republic of Bulgaria

A parent has the right and the obligation to take care of the physical, mental, moral, and social development of their child, for her or his education and for her or his personal and property interests.

A parent is required to rear their child, to form her or his views and to provide for her or his education in accordance with her or his abilities and in accordance with the child's needs and aptitudes and with a view to her or his upbringing as an independent and responsible person. A parent has no right to use force, as well as methods of education, which demean the child's dignity and worth.

A parent is required to ensure permanent supervision over their minor child and appropriate control of the minor child's conduct.



You and Your Parents

You have the right to live and grow up with your parents. The family environment is most favourable, safe, and secure for you to grow up and develop and your parents are the most important individuals who love and protect you. However, they may at times experience difficulties coping with their parental duties. They should, therefore, be supported and encouraged by the child protection bodies so they could fully assume their responsibility for your well-being.

In order for you to develop to your full potential, you should grow up in an atmosphere of attention, love, care, and understanding.

Your parents should be involved in and committed to your education and should be interested in your school life, as well as to be partners with your teachers.

You ought to respect and appreciate your parents, as well as your extended family members.

Parental Guidance

Your family bears the principal responsibility for you while you are growing up. They have the duty to assist you so you could learn to properly exercise your rights and to respect the rights of others.

Separation from the Parents

You should not be separated from your parents, except when such separation is necessary for your own best interests (e.g., if your parent has been abusing or neglecting you).

If your parents are separated, you have the right to maintain personal relations and direct contact with them both on a regular basis, except if this is hurting you in any way.

Family Reunification

If your parents reside in different countries, you have the right to move between those countries so you could maintain on a regular basis direct contacts with both your parents or for the purpose of family reunification



The family has an important role to play in developing the child's and future social individual's sense of belonging and identity, as well as in his socialization and personality development.

Currently, most existing policies in Bulgaria concern parents but are not interlinked within a system of targeted and considered actions aimed at support.

This is why the member organisations of the National Network for Children have elaborated an important document titled "***Vision for Family Policy in Support of Children and Families in Bulgaria***", which is supported by the Ombudsperson.





The Right of the Child to an Adequate Standard of Living

You ought to live in good conditions conducive to your physical, mental, spiritual, moral and social development. The primary responsibility for securing this right of yours lies with your parents, within their abilities and financial capacities. The government ought to take appropriate measures to assist your parents should they be unable to cope on their own and in case of need it provides material assistance and support programmes.

The Child and the Environment

You can learn how to preserve, protect and improve the quality of the environment. You can find out how your lifestyle affects the environment (e.g., conservation and sustainable exploitation of resources, such as water, electricity, food). In the municipality where you live you could take part in various children's and youth initiatives related to ecology and the environment, air pollution, and climate change.

You can take part in the assessment of the local government's policies and practices aimed at creating healthy and safe living environment, as well as make proposals for its improvement.

The *Child Friendly Municipality* initiative was developed by UNICEF and successfully launched in Bulgaria across all local governments. It recognizes a town, a city, or a municipality, actively committed to ensuring children's rights. These are places where the voices, needs, priorities and rights of the children are an integral part of public policies, programmes and decisions. **You can visit the website of the initiative here: [http:// childfm.unicef.bg/bg](http://childfm.unicef.bg/bg)**



The Right of the Child to Life, Survival, and Development

You have the inherent right to life and your country's government ought to ensure to the maximum extent possible your survival and development. Optimal conditions should be ensured for your childhood, for your current life, in which you can prepare for your independent life in a free society.

Your parents have a key role to play in your development, but the state has a duty to support them. Your protection from violence and exploitation is essential for your survival and development. Various measures need to be taken should your life and health be at risk of malnutrition, poverty, and social exclusion.

You have to be protected from road traffic accidents, from an offence against you, from accidents, from child marriages, and from armed conflicts. Therefore, timely and effective measures ought to be implemented to prevent such occurrences. Those measures have to be subject to continuous monitoring and review.

The National Network for Children, an alliance of 142 civil society organisations from across the country, working with and for the children, launched an ambitious project – to build a House of Children in Sofia. It will be a shared space where children, young people, parents, and professionals will work for the welfare of happier, more confident, active and successful Bulgarian children.



The House of Children will provide a friendly and enabling environment to children from all over the country regardless of their origin, age, family and social status.

You can read more about the project at: <http://nmd.bg/campaigns/kashtana-detsata/opisanie/>



Code of Ethics of Bulgarian Media

“We shall demonstrate a special responsibility in respecting children’s rights, including their right to be heard.

We shall not take advantage of children's inexperience and credulity.

We shall not publish information on or photographs of a child’s private life except for reasons of substantial public interest.

We shall not reveal the identity of children involved in or affected by tragedy or crime if this could harm them.

We shall seek to avoid interviewing children without the consent of an adult legally responsible for them.”

National Council for Journalism Ethics

The Child's Right to Privacy

No one has the right to interfere arbitrarily or unlawfully with your private, family, and home life or correspondence, nor to unlawfully attack your honour and reputation. This right is set forth in Article 16 of the *UN Convention on the Rights of the Child* and belongs to every child without discrimination of any kind.

The media are required to respect your right to privacy and must not disclose any information about you that could harm you. You have the right to protection against any such interference or attacks. You can turn for assistance and protection to the following institutions:

The State Agency for Child Protection – <http://sacp.government.bg/bg/>;

The Council for Electronic Media – <http://www.cem.bg/>;

The Commission for Personal Data Protection – <https://www.cdpd.bg/>;

The Ethics Commission for the Electronic Media – <http://mediaethics-bg.org/>.

The right to safety and privacy on the internet – **The Bulgarian Safer Internet Centre** (<https://www.safenet.bg>)

If you come across any online content or conduct, which you believe is illegal or abusive to children, contact the Safenet Hotline – <https://www.web112.net>.



The Child's Right to Reliable Information

You have the right to access information and material, in a language comprehensible to you, from a diversity of sources, especially those aimed at the promotion of your well-being and physical and mental health. This is closely linked to your right to freedom of expression and to your right to develop to your full potential. Your family and teachers are required to protect you from information and materials that could harm you.

The media have an important role to play in this. They have to be accessible to you and to promote and respect your right to participation and opinion. They are required also to disseminate materials that are in line with the goals of your education. The media need to familiarize both children and adults with the fundamental principles and provisions of the *UN Convention on the Rights of the Child*.

The state ought to encourage the production and dissemination of radio and television production for children and children's books.





The Aims of Education

Education ought to be directed to the development of your personality, talents and mental and physical abilities to their fullest potential. Education should promote respect for human rights and fundamental freedoms.

The education process needs to ensure your transformation into an active and responsible citizen. It has to prepare you for responsible life in a free society, in the spirit of understanding, peace, tolerance, and equality of sexes, respect for your parents, respect for the opinions and views of all other members of society, for your own cultural identity, language and values.

An important mission of education is to teach children to live together, to make plans for their common future, to manage conflicts.

UN Committee on the Rights of the Child – The Committee on the Rights of the Child (CRC) is the principal UN body that monitors implementation of the *Convention on the Rights of the Child* by its State parties. It was established in 1991 and is composed of 18 independent experts from different countries. In 2016, a Bulgarian expert, Assoc. Prof. Velina Todorova, was elected to serve on the Committee for the first time since it was established.

“Children do not lose their human rights by virtue of passing through the school gates. Education must be provided in a way that respects the inherent dignity of the child and enables the child to express his or her views freely and to participate in school life.”

The Right of the Child to Education

Education is essential for your development and wellbeing. The state must guarantee you not just equal access to education but also equal opportunities for success.

You have the right to free and high-quality primary education and to guaranteed access to different forms of secondary education, including educational and vocational information and guidance. Appropriate measures should be implemented to encourage regular attendance at schools.

Education must be provided in a way that respects the inherent dignity of the child and enables the child to express her or his views freely and to participate in school life.

What is Inclusive Education? Inclusion means encouraging the participation of all children and adults. It means also supporting schools to acknowledge and respond to children's different experiences, interests, knowledge, and skills.

Your friends and you can find out more about inclusive education at: <http://priobshti.se/>, Centre for Inclusive Education.



Your Opinion Matters!

We asked Emma, a child ambassador of the Ombudsperson, “What does your right to health mean to you?”

- ▶ “Having the right to the best possible treatment when I am ill;
- ▶ having the right to clear and comprehensible information on healthcare and about what will happen to me;
- ▶ the physician, the dentist, and the nurse should ask for my opinion;
- ▶ hospitals and healthcare facilities should be well-lit and bright;
- ▶ I should be treated well and should receive health care in accordance with my needs;
- ▶ I want hospitals to become child-friendly.”

Article 122 of the Health Act:

“(1) Approved school curricula shall provide students with training in:

1. personal hygiene;
2. healthy nutrition;
3. healthy living environment;
4. healthy lifestyle;
5. infectious disease prevention;

6. health risks associated with smoking, use of alcohol and narcotic substances;

7. sexual behaviour, prevention of sexually transmitted diseases and AIDS and unintended pregnancy prevention;

8. first aid provision.



The Child's Right to Health and Health Services



You have the right to good quality health care, which includes medicines, hospitals, and health professionals. The right to healthcare includes also access to healthcare services for the treatment of your illness, periodic control of your treatment, as well as services for the rehabilitation of your health. You have the right to adequate health education so you know how to take care of yourself and stay healthy. Until you reach the age of 16, you have the right to medical assistance outside the scope of mandatory health insurance.

Your country's government is required to pursue full implementation of this right, as well as to take appropriate measures to ensure that all children have equal access to high-quality medical services.

You have the right to clean environment, clean drinking water and adequate healthy and nutritious food.

The *Fund for Treatment of Children* Centre operates within the Ministry of Health.

Its mission is to provide financial and organisational assistance to children in need of diagnostic and treatment procedures in Bulgaria and abroad.

Sofia, 15 Acad. Iv. Ev. Geshov Blvd., floor 11

Phones: +359 2 / 851 92 51, +359 2 / 895 31 04

E-mail: cfld@mh.government.bg





In your kindergarten, in your school, or on the street where you live there may be children with disabilities,

who experience mobility difficulties or cannot walk, children who are hard of hearing or deaf, who are visually impaired or experience learning difficulties. There are children suffering from various diseases. These children need help. You can help!

If you notice that a child has difficulty walking up or down stairs, approach, offer her or him to lean on you or help her or him to carry her or his backpack.

Children who cannot walk or have difficulty with moving cannot take part in the regular games that kids play. Suggest a game in which all children could partake without feeling rejected.

Do not mock someone else's defects or weaknesses. Do not ridicule children who are sick or weaker than their peers. Look after them and prevent them from falling and getting hurt. Do not be a mocker. The outside appearance does not tell



The Rights of Children with Disabilities

If you are a child with a disability, special care must be taken of you and you have to be provided with support and education so that you can lead a fulfilling and independent life in society in accordance with your abilities.

You have the right to be assisted and supported by an assistant. You are entitled to equal access to health care, rehabilitation, and occupational training. You have the right to participate in making decisions that affect you. You are entitled also to all the rights set forth in the *UN Convention on the Rights of Persons with Disabilities*, especially the right to live with your family.



“Having a disability is not a bad thing. It can even be something to be proud of. We are all different and all have different ABILITIES. Every child can be an ambassador of ability to our families, schools and communities. We each have ideas, experiences and skills that can serve everybody else. All people from all nations have to honour and respect us just the way we are.”

Victor Santiago Pineda and UNICEF

You can read more about the *Convention on the Rights of Persons with Disabilities* on UNICEF’s website: <https://www.unicef.org>.

whether a person is good or bad, well-bred or ill-bred, honest or a liar. Do not sneer at children who are tall or short, chubby or skinny.

Children with a visual impairment cannot read the writing on the blackboard (or whiteboard or interactive whiteboard). They have also difficulty reading the small print in a book. Read to them what they are unable to read.

Some children have difficulties learning to read and write. They keep making the same mistakes over and over again. If you have the time, read along with them.

If your group or class are going to the theatre and there is no special entrance there for children in wheelchairs, ask your friends to help you carry them.

An excerpt from “Children’s Code or How to Be Friends with Everyone”



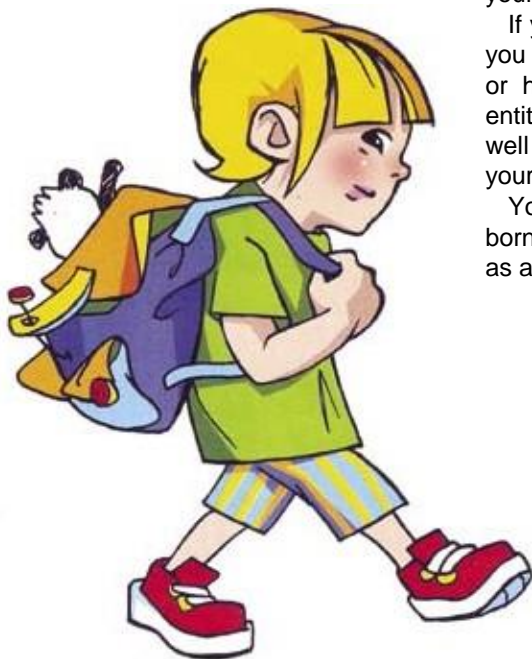


The Rights of Refugee Children

If you have come to a new country because your country of origin is not safe for you, you are entitled to protection and support. The host country must create all necessary conditions for your reception and protection by implementing special measures. You have the right to adequate food, education, healthcare and childcare, access to asylum procedures regardless of your age.

If you are not accompanied by an adult, if you have been separated from your family or have lost contact with them, you are entitled to special care and protection, as well as to an opportunity to be reunited with your family members.

You have the same rights as the children born in the country that you have arrived in as an asylum seeker.



Who is an unaccompanied refugee child? An "unaccompanied minor" is an alien person below the age of eighteen, who is within the territory of the Republic of Bulgaria and is unaccompanied by her or his parent or by an adult responsible for her or him whether by law or custom.



The Right of the Child to Rest, Leisure, Play and Cultural Activities

Play is so vital to your health and development that it has been recognised as a fundamental right in the *UN Convention on the Rights of the Child*. Play is an essential activity conducive to the development of your potential as it teaches you to love and invent life. It nurtures also respect, dignity, equality, integration, honesty, integrity, and collaboration, rather than just spending your time. Through play, you gain and hone your skills, exercise your body and imagination, and socialize. Sports teach you the same.

You have the right to participate fully in cultural and artistic life both as a consumer and as a creator of cultural products. If you are a gifted child, the state has a system of measures in place to ensure the development of your talents.



The Child's Right to Protection from All Forms of Violence

You and your friends, as well as every child, have the right to protection from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse. This right of yours is enshrined in Article 19 of the *Convention on the Rights of the Child*. No one is allowed to cause you pain or suffering, insult you, hit you, belittle you, or ridicule you. Violence against children, including the corporal punishment (physical discipline), is prohibited in Bulgaria by law.

Both adults and children must not act in a way that may hurt you or put you at risk. Therefore the responsibility for your safety lies with your parents, the state institutions, the child protection bodies, doctors, teachers, police officers, judges, the Ombudsperson, the media, and society as a whole.

You are entitled to help when you feel hurt, neglected or if you are maltreated.

116 111 – National Helpline for Children and Adolescents

It was set up by the State Agency for Child Protection and provides offers information, counselling, and help to children on a wide range of issues. The helpline is designed to support children, adolescents, their parents, relatives, as well as other citizens seeing information and assistance with child related issues. A team of specially trained counsellors answer the helpline calls around the clock and provide the callers with help, emotional support, an opportunity to share dark emotions and difficult experiences, crisis intervention, information about the available resources and ways to cope with various problems.

The National Helpline for Children has national coverage and is accessible from anywhere within the country's territory. It is free of charge for all callers regardless of whether they call from a landline or mobile phone.

The helpline is a 24-hour program.

You can share:

- ▶ problems in your family;
- ▶ issues at school;
- ▶ if someone has been intimidating you;
- ▶ if someone has been inflicting violence on you;
- ▶ if you feel threatened or insecure;
- ▶ if you feel confused and don't know how to put things in order;
- ▶ if something unexpected and serious has happened;
- ▶ if you are in trouble or distress;
- ▶ if a friend of yours is in trouble;
- ▶ if you just feel like talking to someone;
- ▶ if you feel like bragging



The Child's Right to Protection

You have the right to be protected while growing up and developing. This entails protection from violence and coerced involvement in any activities that are dangerous or harmful to your health.

The laws of this country protect you from maltreatment, corporal punishment (physical discipline), and methods of child-rearing and education, which demean your human dignity and put you at risk. Child protection measures and activities are based on the following principles:

- consideration of and respect for your personality;
- your right to be brought up you in a family environment;
- ensuring your best interest;
- care in accordance with your needs;
- immediacy of child protection actions;
- support for your family; and
- careful selection of the professionals working in the child protection system.



Child Protection Act (CPA), enacted in 2000. The purpose of the Act is to guarantee the protection and the best interest of the child. According to the CPA, a child is any natural person under the age of 18. The CPA sets forth a number of preventive measures aimed at child protection. It governs the rights of the child; the child protection principles and measures; the state and municipal bodies and their interaction in the process of performing child protection activities, as well as the participation of legal entities and natural persons in such activities.



The Child's Right to Protection against Harassment and Bullying

What is harassment? This is an ill-intentioned act committed by someone else against you whose purpose is to hurt or humiliate you. It is perpetrated from the position of the stronger person and is repeated many times.

▶ BULLYING AT SCHOOL

A schoolmate of yours starts calling you names, intimidating you or spreading rumours and gossiping about you, shoves and punches you in the school corridors, forces you to give him your belongings or money. He or she encourages others to exclude you from their friendship circles.

This IS bullying! Do not get even with the bully, but turn instead to a parent, a teacher or to the school psychologist so they can help you.

▶ ONLINE HARASSMENT AND BULLYING IN THE VIRTUAL ENVIRONMENT (CYBERBULLYING)

You start receiving on your cell phone insulting, intimidating or derisive text messages. Someone is spreading statements about you on the internet or in the social networks, which calumniate or degrade you.

This IS harassment, too, and you should turn to an adult for help.

You can file also a complaint about cyberbullying at this address: <http://www.cybercrime.bg>

▶ NO ONE HAS THE RIGHT TO HARASS OTHERS!

Pink Shirt Day – International Stand Up to Bullying Day

The last Wednesday of February is known as Anti-Bullying Day. It's also known as "Pink Shirt Day".

The initiative was launched in 2007 by two Canadian boys who stood up to support their friend and schoolmate Chuck McNeill who had been bullied for wearing a pink polo shirt during the first day of school. Ninth grade students David Shepherd and Travis Price bought pink shirts and distributed them next day to all schoolmates who dared to join in. And it turns out there were a lot of brave kids.



The Child's Right to Protection from Sexual Abuse and Sexual Exploitation

Your country's government must protect you from all forms of sexual abuse and sexual exploitation. Your school should have sexual education programmes in place to help you receive also information on the risks of sexual exploitation and sexual abuse, as well as on the ways to stay protected. This information should be adapted to your level of understanding and development so it could help you understand what risks this form of violence poses for you.

Remember that you could become a victim of sexual abuse on the internet as well.

It is important to know that according to the provisions of the *UN Convention on the Rights of the Child* and the Bulgarian legislation, no one has the right to induce or coerce you to engage in any sexual activity, to exploit you for the purpose of prostitution, to coerce you to engage in the production of pornographic materials. It is also sexual abuse when someone touches you in a way that makes you feel uncomfortable and ashamed.

These actions of instigators and perpetrators are punishable by law. The only person guilty is the one who perpetrates child sexual abuse or drags you into sexual exploitation.

A number of institutions have been established in Bulgaria which have the responsibility to take the necessary measures and action to protect your rights. One such institution is the **State Agency for Child Protection**. Teams composed of various specialists work for the Agency – psychologists, educators, physicians, lawyers, who develop programmes designed to solve the problems faced by all children. You may turn to them when you have a problem or need advice.

Sofia 1051, 2 Triaditsa Str.

Phone: 02/933 90 10

Fax: 02/980 24 15

sacp@sacp.government.bg

<http://sacp.government.bg>



Child Protection Measures

Child protection in Bulgaria is ensured by implementing various protection measures which are set forth in the *Child Protection Act*. These protection measures are determined by the child protection guided by the principle of the best interest of the child:

- ▶ Assistance, support and provision of services within the family environment;
- ▶ Placement with extended family members or relatives;
- ▶ Adoption;
- ▶ Placement with a foster family;
- ▶ Provision of social services of residential type;
- ▶ Placement in a specialised institution;
- ▶ Police protection;
- ▶ Specialised protection in public places;
- ▶ Informing children and their parents of their rights and obligations.

Social Assistance Agency

The Agency is tasked with implementing the state policies in the area of social assistance and child protection.

Sofia 1051, 2 Triaditsa Str.

Hotline: +359 2/ 935 05 50

Phone: +359 2) 811 96 07

<http://www.asp.government.bg/>

The Agency's structures are the Social Assistance Directorates and the Child Protection Departments, which are responsible for child protection at the regional and local level.

The Child Protection Departments are the specialized bodies with competence in matters affecting children.

What are the functions of the Child Protection Departments?

▶ The social workers in the employ of these departments support your parents and caregivers with issues relating to your raising, education, and training.

▶ They can inform you of your rights and obligations.

▶ They can assist with improving the conditions you live in.

▶ If there is a conflict or difficulty in the communication between you and your parents, they can help you to resolve it.

▶ They can counsel you on how to choose a school or a vocation or they can help you find a job if you have turned 16.

▶ They conduct inquiries into allegations about violations of your rights, carry out research.



Child Protection from Domestic Violence and Corporal Punishment

► WHAT IS DOMESTIC VIOLENCE?

It is any act of physical, sexual, emotional or economic violence, as well as any attempt to commit such violence. It includes also any coercive restriction of a child's personal life, personal liberty, and personal rights.

The ***Protection against Domestic Violence Act*** protects both children who are the immediate victims of violence and children who are indirectly affected when domestic violence is committed in their presence.

If you are a victim of domestic violence, you can seek help from a parent, the police, the child protection bodies, a teacher, your general practitioner (family physician), or a psychologist.

► WHAT IS CORPORAL PUNISHMENT?

The United Nations Committee on the Rights of the Child has defined corporal punishment as any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light.

The use of corporal punishment causes serious physical and psychological harm to a child. It can reinforce a behaviour pattern assuming that violence is an acceptable and admissible way to resolve conflicts.



The Ombudsperson and a network of non-governmental organisations have established a National Coalition against Violence and Corporal Punishment against Children. One of the coalition's objectives is to mobilise public and political resources to promote a culture of zero tolerance for acts of violence and corporal punishment against children.

If you or a friend of yours need either help or more information on violence and/or corporal punishment, call 076 60 10 10 or visit the website of the PULSE Foundation <http://pulsfoundation.org/>





► CHILD PROTECTION FROM ABDUCTION OR WRONGFUL REMOVAL FROM THE COUNTRY

our state has assumed the responsibility to protect you from abduction, wrongful removal, or retention outside the country. If this happens, all necessary measures are taken for locating you and for your prompt return to the country, as well as for subsequent support and rehabilitation.

An international mechanism for protecting children from being abducted and illegally moved outside the country by a parent is the *Hague Convention on the Civil Aspects of International Child Abduction* to which our country has acceded.

► CHILD PROTECTION FROM ABDUCTION FOR THE PURPOSE OF TRAFFICKING

Child trafficking is one of the most serious violations of the rights of the child – the right to life, the right to grow up in a protected environment without violence and exploitation. A victim of human trafficking is deprived of her or his autonomy, freedom of movement and freedom of choice. This is known as “modern slavery”.

Children could be victims of human trafficking for the purpose of sexual exploitation, labour exploitation or forced begging; exploitation in forced criminal activities, such as theft, shoplifting and pickpocketing; forced and child marriages, as well as for illegal human organ trafficking.

Child and human trafficking is a crime punishable by law.

Bulgaria has adopted ***Combating Trafficking in Human Beings Act***. A National Commission for Combating Trafficking in Human Beings has been established with the Council of Ministers. There exist also local commissions which work to prevent human trafficking and to facilitate the protection, recovery and reintegration of the victims of human trafficking.

National Commission for Combating Trafficking in Human Beings

Sofia – 1797

Phone: +359 2 / 80 78 050

Fax: +359 2 / 80 78 059

office@antitraffic.government.bg

<http://antitraffic.government.bg/>



► CHILD PROTECTION FROM THE USE OF DRUGS

Article 33 of the *UN Convention on the Rights of the Child* obliges your country's government to take all appropriate measures to protect you from the illicit use of narcotic drugs and psychotropic substances. It ought also to protect you from being involved in the production, sale, and distribution of drugs.

You should never forget that every narcotic drug is a major threat to your health, development, and life. Trying drugs is never worth it.

You can join as volunteer drug use prevention programmes because your participation and opinion is a key resource for preventing and combatting drug abuse.





► THE RIGHT OF THE CHILD TO PROTECTION FROM CHILD LABOUR AND ALL OTHER FORMS OF EXPLOITATION

Your country's government has assumed the responsibility to protect you from economic exploitation and from doing any work that might pose a danger to you, might hinder your education or might be detrimental to your health and development.

In order to protect you from exploitation and child labour, the government takes legislative, administrative, social and educational measures.

Find out more!

You can find out more about child labour exploitation in the past by watching films or reading books.

Search for useful information about:

Which laws in Bulgaria protect you from child labour?

What is the legal working age, i.e., the minimum age required by law for you to be employed and under what conditions?

What kinds of labour are children protected from?



► CHILD PROTECTION FROM TORTURE, DEGRADING TREATMENT AND DEPRIVATION OF LIBERTY

You must never be subjected to torture, cruel or degrading treatment or punishment. The *UN Convention on the Rights of the Child* and the laws of the Republic of Bulgaria protect you from unlawful or arbitrary deprivation of liberty.

The arrest, detention, sentencing or imprisonment of a child must always be in conformity with the law and must be used only as a last resort and for the shortest time possible. A child must be heard in court in an age-appropriate manner, which takes into account her or his development. A child must at all times have access to legal and other assistance.

► THE CHILD AND JUDICIAL PROCEDURES

You may have to be involved in judicial proceedings as a witness or as a victim of crime and violence, or if you are in conflict with the law. You may also have to take part in administrative and civil proceedings.

Regardless of your role in judicial proceedings, all procedures must be adapted to your needs and made “child-friendly”. They must be conducted by specially trained professionals who must take your opinion into account.

Every system must function in a manner that supports and assists the child.

If you have to be involved in legal procedures, you most certainly will have questions whose answers you will want to know, such as what your rights are, who are the people you will meet, what to expect from them, and who could support you.

You can find all answers in the book titled *Child-Friendly Justice: Key Terms* prepared by the European Union Agency for Fundamental Rights. You can find it on the website of the Social Activities and Practices Institute: <http://www.sapibg.org/bg>



The National Ombudsperson is
vested with statutory powers to
protect your **CHILD** rights



**OMBUDSPERSON OF THE
REPUBLIC OF BULGARIA**

СОТИА 1202

22 George Washington Str.,

Phone: +359 2 / 81 06 955

Fax: +359 2 / 81 06 963

priemna@ombudsman.bg

www.ombudsman.bg

***Project “Boosting the
Capacity of the Republic of
Bulgaria’s National
Ombudsperson Institution
to Implement Independent
Child Rights Monitoring and
Promote Children’s Rights”***

DO NOT be silent!

**All of you have
equal rights and
deserve to be
heard!**

#ourchild

