



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

MONITORING OF THE UN CONVENTION ON THE RIGHTS OF THE CHILD IN BULGARIA

SUMMARY OF REPORT 2020

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THE CONVENTION

The Convention is a legal document with clear obligations on how rights are to be respected and fulfilled, and many of its articles refer to the conditions, resources, protection and freedoms that a child needs to achieve his or her full developmental potential. The Convention does not offer children more rights than other human beings, but recognises that additional safeguards may be needed to make sure that children have access to the human rights that everyone has. It stands out among other international agreements in that it contains the full spectrum of human rights: civil, political, social, economic and cultural rights.

The Convention is based on three categories of rights – participation, protection, and provision – and is guided by four core principles: non-discrimination, the best interests of the child, the right to life, survival and development, and respect for the views of the child. The implementation of the Convention and the Optional Protocols is monitored by the Committee on the Rights of the Child (CRC), and every five years Bulgaria reports to the monitoring body on its progress in implementing the rights of the child. The CRC then makes recommendations on how to improve the protection of children's rights and often highlights where the government has done well or failed to fully realise children's rights. These recommendations are an effective mechanism for the Ombudsman institution in conducting monitoring, as well as for advocacy and campaigning to raise public attitudes towards children's rights.

According to the UN Convention, children are real actors in the transformation of our communities, and each one of them, with their abilities and talents, their faith and capacity, is part of the change. Every child has a unique potential and it can be developed in the right conditions, in a safe and secure environment, if they are loved and supported by their parents and the adults who care for them. He or she must have secure access to quality education, health care and an adequate social sector. Children's well-being is influenced by a range of factors, including their actions and relationships, the networks and resources of those who care for them, and public policies and the national context. Children need to feel that they are listened to, that the state supports their parents, and that it allocates the necessary resources for a happier childhood. It is



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important how national strategies consider children in different social, educational, financial and natural contexts.

The National Human Rights Institution (NHRI) is mandated to promote and protect the rights of children. This has been highlighted by the UN Committee on the Rights of the Child, which notes the key role that the NHRI has to play in its establishment, organization and activities to promote respect for the views of children on all issues that affect them. The existence of an independent mechanism dedicated to the protection of children's rights sends an important message to children: that they have rights and that there are means within their means to ensure that these rights are respected.

The defined objectives of the ombudsman are focused on monitoring the situation and protection of children's rights in Bulgaria, working on complaints alleging rights violations, drafting special reports, organizing initiatives and other events related to the topic, which is carried out for the benefit of Bulgarian society. Emphasis is placed on defending the rights of the most vulnerable groups of children, as well as working with children themselves and protecting their right to participation. The work of the Ombudsman is based on the provisions of the UN Convention on the Rights of the Child (the Convention), the ratified Optional Protocols, the EU Charter of Fundamental Rights and all international and European documents governing children's rights. The Ombudsman monitors the implementation of the standards of the instruments by sending special questionnaires to the protection authorities. Monitoring the implementation and enforcement of international treaties is an obligation that derives from the UN Statute A, which the Ombudsman institution received as an independent human rights organisation that complies with the Paris Principles relating to the status of NHRIs adopted by the UN General Assembly. The minimum standards for the work of human rights institutions established by these Principles commit the Ombudsman not only to propose the ratification of international human rights instruments, but also to monitor and promote their effective implementation by the competent national authorities

UN CRC IMPLEMENTATION IN BULGARIA 2020

In 2020, the national Ombudsman developed a system of impact assessment for the legislation and policies for children in Bulgaria together with a set of indicators to monitor the Convention. The matters are structured by topics following the rights of children.

For the purpose of independent monitoring, questionnaires were prepared and sent out to these institutions and organisations: MLSP, MES, MH, MJ, State Agency for Child Protection, State Agency for Refugees, Commission for Protection against Discrimination and National Network for Children (no response was submitted within the deadline).



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The Annual Report of the Ombudsman sets out 60 specific recommendations for the main categories of rights of the child under the Convention which can be summarised in the following main areas:

Final recommendations:

- Develop a special mechanism to monitor the implementation of the Convention and indicators for its application;
- Take measures to analyse the coordination of the legislation with the CPA;
- Develop procedures and criteria to serve as guidelines for all competent institutions and staff on how to determine the best interest of the child in every area of the rights;
- Guarantee that all children receive care in support their appropriate development in the first years of their lives, including appropriate nutrition, access to healthcare, protection against violence and damage, stimulation and possibilities for learning;
- Introduce special measures to guarantee that children accommodated at specialised educational institutions have access to protection measures under the CPA;
- Ensure equal access for all children who are victims of crime to protection measures and specialised support services fulfilling Bulgaria's commitments to the EC related to the full transposition of Directive 29/2012/EU establishing minimum standards on the rights, support and protection of victims of crime;
- Reform the system of juvenile justice in line with the UN Convention on the Rights of the Child. Adopt a National Juvenile Justice Strategy and related Action Plan, including an overall change in the legislation for child offenders. Repeal the Combating Juvenile Delinquency Act and put forward for discussion and adoption the Bill on Correctional Measures for Persons Who Have Committed Crime or Administrative Violations as Juveniles;
- Initiate a public and expert debate about a vision for the development of the Bulgarian education which will guarantee an equal start for the development of every Bulgarian child;
- Develop platforms and projects to encourage the participation of children in the decision making process about it at all levels;
- Make efforts to popularise the UN Convention on the Rights of the Child and update the actions related to the ratification of the Third Optional Protocol.



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THE OMBUDSMAN IN DEFENCE OF CHILD RIGHTS IN BULGARIA

The complaints and denunciations received in 2020 highlighted a number of issues and systemic gaps related to the policies for adequate child care and adequate risk prevention. 2020 was mostly marked by the COVID-19 pandemic. The state of emergency introduced in Bulgaria in response to the pandemic forced thousands of children and families to face numerous challenges which they have been trying to tackle day in, day out. Children's health issues, mental disorders and anxiety, domestic violence, online education, and the digital divide – those were just some of the issues that had to be addressed as a matter of urgency and citizens brought them to the Ombudsman's attention. Prolonged isolation, combined with the economic impact on families, gave rise to different types of family crises. Limited access to education, health, and social services made the situation even worse.

The Ombudsman put forward more than 100 recommendations. Some of those referred to specific cases while others related to the rights of large groups of children. Most recommendations were addressed to the competent child protection authorities – Social Assistance Directorates (SAD), the Agency for Social Assistance (ASA), the State Agency for Child Protection (SACP), the Ministry of Labour and Social Policy (MLSP), the Ministry of Education and Science (MES) and certain Regional Departments of Education, the Ministry of Health (MH) and the National Health Insurance Fund (NHIF), Mayors of municipalities, and law enforcement authorities. In response to her recommendations, the Ombudsman was informed of the actions taken, including findings of infringements and the sanction meted out.

The issues brought to the Ombudsman's attention by complainants included:

- the need for financial and social support for parents raising their children alone who were left without income;
- complaints about protection measures;
- complaints about the closure of day centres for children with disabilities and the special education support centres;
- complaints about access to education for children with SEN;
- problems with ensuring the safety of Roma children and lack of personal protective equipment for Roma families and neighbourhoods;
- civic discontent with the restrictive measures imposed on children, especially on outdoor activities, sports, and art schools;
- complaints about regulatory changes;
- complaints about the closure of specialised institutions for children and their transfer to other services in the context of emergency measures – Institutions for Children



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Deprived of Parental Care (ICDPC) and Homes for Medical and Social Child Care (HMSCC);

- the quality of care in residential services and crisis centres for children victims of violence;
- complaints about the work of child protection authorities, demanding changes to the approaches and attitudes of those working in the child protection system, especially when drawing up social reports and individual assessments;
- violations of the child's right to maintain a personal relationship with the parent with whom he or she does not live particularly restricted during the emergency measures;
- violence against children; heightened sensitivity to violence in parental conflicts, bullying and harassment in schools, violence within the family, and in disputes between neighbours;
- complaints demanding the provision of an opposite placement service for a child victim of violence that is close and appropriate to his or her social environment;
- complaints by parents residing abroad whose children had been taken away from their families by social workers on the grounds of poor care, conflicts, and violence;
- lack of resources for social support to children raised by addicted parents – suffering from either drug addiction or mental illness;
- complaints relating to the application of The Hague Convention on the Civil Aspects of International Child Abduction.

Complaints concerning the rights of children with disabilities received by the Children's Rights Directorate were dominated by the following topics:

- violated rights of children with special educational needs (SEN) – educational problems facing blind children, deficiency of adapted textbooks, insufficiency of lessons to work with resource teachers, lack of individual approach, limited access of children with SEN to online education, restrictions on the movement of children with disabilities, access to community-based social services;
- the need to extend social support measures for families of children with disabilities;
- restricted access to healthcare services.
- **Child justice (juvenile justice)**

The protection of children's rights in the justice system has been a priority in the work of the Ombudsman. This is so because every child could come into contact with the justice system and could be involved through different procedures: as a victim, as a witness, as an offender, as an affected person in the case of parental separation and divorce. However, despite the different



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capacities in which children participate, there must be a regulated child-friendly approach to them, appropriate to their development.

The challenges in this area highlighted once again by the Ombudsman last year included:

- Insufficient coordination and cooperation between the child protection system, on the one hand, and the police, the prosecution, and the courts, on the other.
- Limited access to specialised legal aid for children.
- Failure to apply a holistic approach to dealing with children in conflict with the law.
- Insufficiency of trained professionals to work with children.
- Lack of standards for holding child-friendly 'blue room' hearings of children.
- Lack of statistical data.
- Serious delays in the implementation of the new legal framework for restorative justice for children.

Main recommendations:

- A functioning juvenile justice system must be set in place.
- The minimum age of criminal responsibility for children must be set, and the child protection system should bear the responsibility for children under the age of 14.
- It is necessary to introduce mandatory specialisation in the judiciary, as well as ongoing training on children's rights for the magistrates and officials in the judiciary.
- It is essential to introduce mechanisms for coordination between the social and judicial systems that ought to be organised around the best interest of the child.
- It is necessary to research the mechanisms for legal representation of the child and to introduce special representatives other than the court-appointed public defenders;
- Accessible legal aid for children;
- It is necessary to encourage the opening of more social services working with and providing support to children with challenging behaviour, relying on the resources of the *Social Services Act*.
- standards for assessing and determining children's best interests, including after hearing them.
- It is essential to guarantee a child's right to psychosocial support and rehabilitation.



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- It is necessary to work towards building a system of alternative measures to punishment for children who are criminally responsible that would be effective for children's rehabilitation and reintegration while acting as relapse prevention.

• **Child victims of violence and crisis centres for child protection**

Complaints filed with the Ombudsman institution in the past year concerned mainly issues related to the care provided to children in Crisis Centres for Child Victims of Violence. Following up on those complaints, the Ombudsman pointed to the need to introduce in the child protection system guardians for children whose interests could not be represented by their parents, e.g., in situations of parental abuse or neglect.

Main recommendations:

- It is necessary to consider the possibility of introducing in the child protection system guardians for children victims of trafficking, abuse, or systematic neglect.
- provide access to crisis placement services on a regional basis, thus preventing the need to relocate a child away from her or his immediate environment.
- It is necessary to change the way crisis centres approach their functions by focusing on specialised intervention and individual support (psychological, legal, social) that is expected to be provided to a child in crisis, especially in cases of emergency placement, rather than on the residential nature of the service.
- It is essential to ensure prompt judicial control over the placement of children in crisis centres.

• **De-institutionalisation of childcare**

The Ombudsman considers the de-institutionalization of child care as a modern solution to the social-care problems accompanying the development of children growing up in different institutions and residential services, as well as for children growing up at risk of poverty and separation from their families, for children with disabilities and with differing abilities. Late in the year, the public was again inflamed by the emergency relocation of children from Homes for Medical and Social Child Care (HMSCC) due to the closure of eight such homes.

It was found out that:

- Not all requisite actions had been taken to prepare the children for relocation and handover of care.
- The assessments had not been drawn up by multidisciplinary teams, as provided for in the project implemented by the ASA. They had been drawn up instead by a social worker and the HMSCC team.
- No case conferences had been held and no integrated approaches had been used.



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- Preparing the children and handing over care from one team to another had not been carried out in a way beneficial for the children. The mechanical handover of documentation and children alike as if they were inventory was an institutional approach to relocation and was contrary to the vision of de-institutionalisation.
- No data had been collected in the process of de-institutionalisation, especially data related to the closure of institutions and the relocation of children.

Main recommendations:

- The process of relocating each child must follow certain strategic stages. At each stage, methods and approaches should be used that are consistent with the goal of moving the child as safely and smoothly as possible to her or his new residence.
- The focus in the process should be on the child with her or his individual characteristics and needs, and not on deadlines and formal requirements.
- The elaboration of plans for each child should be tailored to her or his individual assessment.
- The handing over of care for each child should follow a predetermined plan and schedule – smoothly and gradually.
- It is essential to ensure effective monitoring of the de-institutionalisation process to track children's development outcomes.
- The work of the standing group of experts on de-institutionalisation should urgently resume.

• Rights of children with disabilities

Complaints filed with the Ombudsman institution by parents showed that placing vulnerable citizens, such as children with disabilities, within the scope of general measures, without taking their special needs into consideration, could have serious implications for their development and interests.

Complaints concerning the rights of children with disabilities dealt predominantly with:

- violated rights of children with special educational needs (SEN) – educational problems facing blind children, deficiency of adapted textbooks, insufficiency of lessons to work with resource teachers, lack of individual approach, limited access of children with SEN to online education, restrictions on the movement of children with disabilities, access to community-based social services;
- the need to extend social support measures for families of children with disabilities;
- restricted access to healthcare services.



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Main recommendation:

- All measures to cope with and limit the spread of COVID-19 ought to be tailored to the needs of children with disabilities.
- Actions ought to be taken to resolve the problem with the amount of monthly allowance granted as per Article 8e(8) of the *Family Allowances for Children Act* (FACA).
- Measures ought to be taken to amend the technical requirements for passenger cars set out in Article 10c of the *Road Traffic Act*, laying down the entitlement to exemption from payment of vignette fees, in compliance with the legislation in force protecting the rights of people with disabilities and their families.

• Right to education – children with special educational needs (SEN)

The number of complaints related to limited access to education for children with SEN remained persistently high. This vulnerable group of children was particularly deeply affected in 2020 by the health crisis.

The problems pointed out by parents of children with SEN in their complaints included:

- Closures of Centres for Special Educational Support (CSES).
- Insufficiency of lessons to work with resource teachers and specialists. Perfunctory approach to the online education of children with SEN.
- Insufficient support for parents during the online education of children with SEN.
- A number of negative implications of isolation that trigger aggression and self-aggression in children with disabilities.
- Lack of adapted and interactive materials for working in an electronic environment. Problems with access to electronic textbooks through screen readers for blind children.
- Limited access to specialised programs and platforms for children with an autistic spectrum disorder.
- Limited access of preschool children to support from resource teachers.
- Lack of accurate and reliable data on the number of children with SEN and children with disabilities in the education system.

Main recommendations:

- A survey should be conducted among school educators and parents about the problems with distance education faced by children with SEN. The results would make it possible to allocate appropriate resources.



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- Additional distance learning classes ought to be scheduled during the summer holidays at the request of parents and pupils with SEN.
- Support ought to be provided to children with SEN with a view to developing their social skills particularly limited during the pandemic.
- Children with SEN should be offered psychological support to cope with the state of emergency and the changes in the manner of schooling.
- Additional funding should be provided for the CSEs so they could implement the needs-based approach to their work with children.
- An adequate system and practice of inclusive education should be put in place. This should include changes in curricula and programmes, adapting textbooks and materials, training teachers and other school staff.
- It is essential to introduce new approaches and forms of providing additional support to pupils with SEN.
- It is necessary to conduct campaigns aimed at parents, teachers, and children to accept differences and combat the stigmatization of children with SEN.

• **Right to healthcare**

During the year, the Ombudsman was approached by parents of children who had been denied access to treatment abroad. Another serious problem brought up by the complainants concerned the quality of and access to medical devices for children. The Ombudsman received also numerous complaints about the uneven process of building a National Children's Hospital.

The topics that came to the attention of the Ombudsman's included:

- providing therapeutic foods for a child;
- perfunctory approach to considering an application for treatment of a child abroad;
- problems with providing catheters for children;
- impossibility to obtain a sick note for a child attending a school rather than a childcare facility from which she or he had been sent back due to quarantine;
- halting the construction of the National Children's Hospital onto an existing old construction site;
- failure to implement the good medical practice in maternity wards due to separating infants from their mothers in the immediate postpartum period;
- the need for timely and sufficient prenatal diagnostic testing for possible foetal abnormalities for expectant mothers, including uninsured women;



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- lack of access to child and adolescent psychiatric care.

Main recommendations:

- It is necessary to provide a range of integrated services for children covering health, social, and education sector activities.
- The activities of health mediators should be analysed and measures should be taken to expand their work patterns to actively involve the local self-government bodies.
- The number of health mediators working with the Roma communities should increase.
- It is necessary to change the current hospital protocols which restrict skin-to-skin contact for mothers and their healthy new-born infants immediately after birth.
- Active measures need to be taken in the field of children's mental health to ensure that children have unimpaired access to psychiatric care services.
- It is necessary to elaborate and implement prevention programmes for children and young people related to addiction prevention; interactive materials should also be developed and introduced.
- It is essential to set up a network of specialised health and social services, as well as programmes for early intervention and treatment of children and young people who are drug users.
- Transparency and dialogue ought to be ensured at every stage of the construction of the National Children's Hospital.
- The database on child health must be improved.
- Further targeted action is also required to support child health.
- It is essential to introduce child rights standards in the health care system, in the relevant legislation, and higher medical education.

• Protection of children's rights in cases of parental conflict

Complaints from parents about being deprived of the opportunity to fully communicate with their children made up, once again, the majority of all complaints filed with the institution in 2020. The Ombudsman followed up on those alerts in the light of the child's right to maintain a personal relationship with both parents, regardless of who has been awarded custody of the child by the court.

The Ombudsman did not observe significant progress in the past year in the effectiveness of the actions taken by the child protection bodies to safeguard the rights and interests of children involved in parental conflicts. Unfortunately, the Ombudsman's findings made over the years as a result of her work on cases of parental conflict remained unchanged in 2020.



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Over the years, the Ombudsman has insisted on a change in the pattern of work towards resolving parental conflicts given that timely and professional intervention by the institutions would lead to the prevention of conflict escalation.

Main recommendations:

- A multidisciplinary approach must be applied to working with parents. Efforts should be aimed at supporting parents to prevent and resolve inter-parental conflict.
- Other professionals, e.g., psychologists and mediators, should also be involved in dealing with cases of inter-parental conflict to inform parents about the implications of their fighting for their child's development.
- Upon assessing the circumstances of each case and where possible, parents should be referred to mediation to reach an agreement on contentious issues in their co-parenting conflict.
- It is necessary to develop a uniform methodology for assessing and safeguarding children's best interests. The methodology should be set out in the current legislation and applied uniformly by all experts in the field.
- Changes in the child protection system must be effected to ensure that there are clear guarantees regarding the social workers' impartiality and professional approach to their caseloads.
- Social workers within the child protection system need to be empowered to take tougher measures, where necessary, in respect of parents refusing to collaborate in social work.

• Children and the child protection system

The COVID-19 pandemic intensified citizens' critical disposition and sensitivity and their attitude towards the child protection system, its effectiveness, and the outcomes of the interventions. During this period, there was a definite decline in trust in social workers, who, moreover, ceased social outreach work.

The major challenges facing the system, which become even more evident in times of crisis, are outlined below:

- The system has been unable to respond to the dynamics of social relations and emerging social problems, especially in times of crisis.
- The quality of social work and its outcomes are measured mainly by using statistics and counting the number of cases closed, not by taking account of the outcome for the children and their families.
- Social work during the crisis was mainly document-based, and no alternatives to outreach were sought.



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- During the pandemic, social work in vulnerable groups and the Roma community was kept to a minimum.
- Social workers feel unsupported in their work, which results in staff turnover and low motivation.
- In the context of emergency measures, the lack of cross-sectoral and integrated approaches was even more noticeable.
- Social workers quite often make decisions out of fear. They are overseen by different institutions. Social work has not gained professional status and no integrated data is collected.
- Children remain too long in foster care and residential service without any long-term plans and a vision for their development.

Given these findings, the Ombudsman institution has drawn up a comprehensive document containing numerous recommendations. It will be presented for comments to the legislative, executive, and local governments, as well as to civil society organizations (CSOs).

Main recommendations:

- A methodology for coordination between child protection departments working on the same case ought to be developed and implemented in the child protection system.
- A mechanism for working on child cases ought to be elaborated in synch with service providers.
- It is recommendable to consider the creation of a mobile group of external and internal experts from the ASA and SACP to assist child protection departments in more complex and long-standing cases.
- It is necessary to evaluate the current format of social reports as regards the information on children at risk collected and included in such reports.
- It is necessary to perform an analysis of the system's caseload and to adopt a standard for the individual caseloads of social workers.
- It is necessary to introduce a requirement for a minimum level of educational attainment for social workers.
- The process of control and monitoring ought to examine the outcome achieved for the child, and not just how administrative procedures have been followed.
- Hearing the child's voice and holding a child's hearing in the course of any procedure of relevance to her or his interests is a must.
- Training in and rules on holding a child's hearing for everyone working in the



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- The methodology for assessing the child's best interest requires improvement.
- Pending the enactment of new legislation on children in conflict with the law, specific rules on dealing with such children ought to be adopted, including a requirement for coordination with the local Commissions for Combating Antisocial Behaviour and Juvenile Delinquency Commissions.
- It is necessary to introduce an integrated information system for children to provide up-to-date data on each child's situation and needs, the protection measure, and the results achieved.
- Sustained action is needed to be aimed at the development of foster care. It will make possible the placement of children with disabilities, children in conflict with the law, and unaccompanied children.

• Roma children

The Ombudsman received last year complaints about Roma children living in dire conditions and poverty, as well as about limited access to social assistance.

• Impact on the legal framework for more effective protection of children's rights

- **Suggestions on the draft *Bill to Amend the Asylum and Refugees Act* (ARA)** concerning the rights of unaccompanied refugee minors.
- **A draft *Bill to Amend the Code of Criminal Procedure* (BACCP)** aimed at introducing into national legislation the standards set out in Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings and the full transposition of Directive 2012/29/EU.
- A written opinion on the **draft *Bill to Amend the Family Code*** with the intention of making legislative amendments to bring the *Family Code* into line with the judgments of the European Court of Human Rights (ECtHR) in the case of L.D. and P.K. v. Bulgaria (applications nos. 7949/11 and 45522/13) and in the case of Doktorov v. Bulgaria (Application no. 15074/08).
- A written opinion on the **draft *Bill to Amend the Child Protection Act*** introduced by a group of Members of Parliament, in which the Ombudsman stressed that the issues of children's rights and their protection were undoubtedly of concern to the whole society, and this was why they required relentless political attention and any significant change must be implemented based on broad public debate and consensus.



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Main recommendations:

- It is necessary to carry out an analysis as to how social allowances impact poverty and family vulnerability.
- Social assistance must be linking to mandatory social casework.
- It is necessary to research the effectiveness of the measures leading to reducing poverty and breaking the vicious circle of poverty.
- A range of resources must be mobilized to help families remain with their children.
- A comprehensive, integrated, and long-term strategy for the elaboration and implementation of policies appropriate to the 21st century ought to be adopted to support children and their families.
- The funding model of residential services ought to be changed to meet the children's individual needs.
- It is necessary to take measures to effectively support the child social care workforce.
- It is necessary to introduce a uniform methodology to research the best interests of children in each public sphere.
- Systematic measures are needed to raise public awareness of violence against children.
- Fair access to justice for every child in Bulgaria must be ensured and new legislation must be adopted.
- A clear vision and a commitment of the state are needed as to how child healthcare, which is part of the entire health system, should be organized and funded.
- State policy in support of adoption is much needed.
- It is essential to develop platforms and projects to promote children's participation in decisions made for them at all levels.

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DISCUSSIONS ON SAFEGUARDING CHILDREN'S RIGHT TO QUALITY EDUCATION



The Ombudsman, Diana Kovatcheva, together with the Minister for Education and Science, Krassimir Valchev organised on February 4, 2020, a discussion on **“Opportunities and Challenges Arising from the Introduction of Mandatory Pre-school Education for 4-year-old Children”**. The Minister for Labour and Social Policy, parents, more than 30 parental organisations, NGOs, trade unions, representatives of academia, and experts were also in attendance.

The whole gamut of opinions on the topic was heard at the forum and specific solutions were proposed aimed at supporting the process of introducing mandatory pre-school education for 4-year-old children. Minister Valchev confirmed that the introduction of mandatory pre-school education would be deferrable and each municipality would decide whether to avail itself from the postponement and when to introduce it in the coming two years.



On 10 December – World Human Rights Day, the Ombudsman organised an online meeting with the Minister of Education and Science, Krassimir Valchev. The subject of the meeting was **“Problems Facing Distance Education during the Epidemic Situation”**.

In the course of one and a half hours, the Minister responded to complaints, answered questions, and addressed problems submitted to the Ombudsman by parents, teachers, headmasters, and civil society organisations. Furthermore, issues concerning children with special educational needs and children with disabilities were discussed.



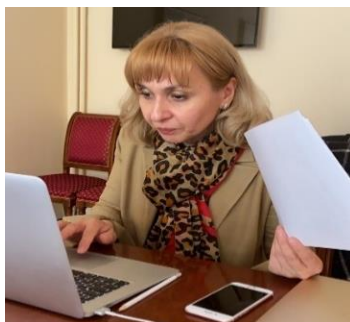
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COOPERATION WITHIN THE EUROPEAN NETWORK OF OMBUDSPERONS FOR CHILDREN

On June 8, 2020, the Ombudsman, Assoc. Prof. Dr. Diana Kovacheva took part in the online conference of the European Network of Ombudspersons for Children on the provision of effective mechanisms for protecting the rights of the child in the context of the emergency situation and the COVID-19 crisis.



“The COVID-19 crisis has proved to be a specific litmus test and is putting to the test all instruments (legal and political) which we have adopted to guarantee fairness, equality, and humanity, particularly in the area of family support and in protecting the child in the family.

The emergency epidemic situation in our country has forced thousands of children and families to face numerous challenges which they have been trying to tackle at this difficult time. Despite their daily efforts, the pandemic has had a dramatic impact, particularly on the most vulnerable groups, i.e., children with disabilities, children with an autistic spectrum disorder, children with special educational needs, children in conflict with the law, Roma children, young people with intellectual disabilities, as well as on their families. Many families are confronted with stringent and difficult choices – single-parent families, families with many children, and families with very low socioeconomic status.

There is no doubt that such added vulnerability is reflected in the number of citizens addressing the Ombudsman institution. The crisis has highlighted the National Ombudsman’s role more clearly than before. It heightened the citizens’ expectations that their rights would be protected and would not be impacted disproportionately by the emergency measures”, the Ombudsman, Assoc. Prof. Dr. Diana Kovacheva said.

She thanked the European Network of Ombudspersons for Children for the methodological support provided in drawing up standards for effective protection in a situation of a health crisis.



OMBUDSMAN OF THE REPUBLIC OF BULGARIA

MONITORING OF THE UN CONVENTION ON THE RIGHTS OF THE CHILD IN BULGARIA

SUMMARY OF REPORT 2020

ONLINE DISCUSSION ON “WHERE WITHIN THE SYSTEM CHILDREN AT RISK FALL UNDER (OR GET THROUGH)?”



On 17 December 2020, the Ombudsman, the Minister for Labour and Social Policy, and experts analysed where within the social care system children at risk fell under (or through) in an online discussion organised by the Ombudsman Diana Kovacheva.

It became apparent that in the first ten months of 2020, **just over 500 children had been placed in residential social care facilities. The number of children placed with foster families in the same period had been 557, and 570 had been placed with relatives and near friends.**