

# Mapping child protection systems in the EU (27)

**Bulgaria**

**May 2023**

Contractor: Project One / Center for the Study of Democracy

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# 1. Legislative and regulatory framework and policies

## 1.1. Overview of normative and regulatory framework

Please provide an overview of the normative legal and regulatory framework of the national and sub-national child protection system. Include information on the scope of the child protection system, the specific needs it addresses, the human and financial resources allocated, and any relevant cultural, social, and historical factors. Please indicate the current priority areas in child protection.

Bulgaria's child protection policy and legislation aim to ensure the safety, well-being, and development of all children, regardless of their background. The country's child protection system supports all children, regardless of race, nationality, ethnicity, sex, descent, property status, religion, education, beliefs, or disability. National policy documents prioritise several areas, such as reducing poverty, integrating children with disabilities, preventing and protecting against violence against children, providing healthcare services, and supporting gifted children.

Historically, Bulgaria's child protection policies focused on institutional care for vulnerable groups, including children without families and children with disabilities. However, these institutions faced severe criticism for appalling conditions and widespread abuse by staff members. To address these issues, the government initiated a deinstitutionalisation process to end these practices and promote alternative, community-based services.

In Bulgaria, Roma children are particularly vulnerable, often living in poverty and at a higher risk of abandonment, placement in institutions, child marriages, school drop-out, begging, and collecting recyclable waste. The government has been working to address these challenges, but much work still needs to be done to protect and support this vulnerable group.

After joining the EU, Bulgaria started aligning its national child protection legislation and policies with the ones of the EU and other relevant international frameworks. However, these policies have been criticised over time for being fragmented and ineffectively implemented at the local level. In recent years, the COVID-19 pandemic has highlighted the need for legislative adaptations to address emergencies, particularly those relating to children.

One significant challenge faced in the past five years was the legal developments regarding remote education, which severely threatened the children's right to access to education, particularly for children from vulnerable groups.<sup>1</sup> At present, the national child protection legislation and policy prioritise poverty reduction and social inclusion as key areas of concern, aiming to ensure that all children in Bulgaria have access to essential services and opportunities for a healthy and fulfilling childhood.

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<sup>1</sup> Bulgaria, Ombudsman of the Republic of Bulgaria (*Омбудсман на Република България*) (2021), The children and COVID-19 – the impact of COVID-19 crisis over the rights and interests of the children in the Republic of Bulgaria (*Децата и COVID-19 – въздействие на кризата върху правата и интересите на децата в Република България*), 19 November 2021.

1.2. Legal provisions in constitutional, civil, criminal, and administrative law related to children in need of protection

Question	YES	NO	Comments
1.2.1. Does the constitution contain any provisions on children's rights and child protection?	<b>X</b>		<p>The Constitution of the Republic of Bulgaria (<i>Конституция на Република България</i>)<sup>2</sup> states that family, motherhood and children are under the protection of the state and society (Art. 14) and that the upbringing of children with parents is supported by the state, while orphaned children are under the protection of the state and society (Art. 47).</p> <p>The following constitutional provisions refer to children's rights and child protection.</p> <p>Art. 14. The family, motherhood and children shall enjoy the protection of the State and society.</p> <p>Art. 47. (1) The raising and upbringing of children until they come of legal age shall be a right and obligation of their parents and shall be assisted by the State.</p> <p>(2) Mothers shall be the object of special protection on the part of the State and shall be guaranteed prenatal and postnatal leave, free obstetric care, alleviated working conditions and other social assistance.</p> <p>(3) Children born out of wedlock shall enjoy equal rights with those born in wedlock.</p> <p>(4) Abandoned children shall enjoy the protection of the State and society.</p> <p>(5) The conditions and procedure for the restriction or suspension of parental rights shall be established by law.</p> <p>Art. 53. (1) Everyone shall have the right to education.</p> <p>(2) School attendance up to the age of 16 shall be compulsory.</p> <p>(3) Primary and secondary education in state and municipal schools shall be free. In the circumstances established by law, higher educational establishments shall provide education free of charge.</p>

<sup>2</sup> Bulgaria, Constitution of the Republic of Bulgaria (*Конституция на Република България*), 13 July 1991, last amended 18 December 2015.

		<p>(4) Higher educational establishments shall enjoy academic autonomy.</p> <p>(5) Citizens and organisations shall be free to found schools in accordance with conditions and procedures established by law. The education they provide shall fit the requirements of the State.</p> <p>(6) The State shall promote education by opening and financing schools, by supporting capable school and university students, and by providing opportunities for occupational training and retraining. It shall exercise control over all kinds and levels of schooling.</p>
1.2.2. Is there a single legal instrument devoted to child protection and child rights, e.g. a Children's Act?	X	<p>The Child Protection Act (<i>Закон за закрила на детето</i>)<sup>3</sup> is the main legislative instrument regulating the children's rights in Bulgaria. The law, adopted in 2000, sets forth regulations governing the rights, principles, and measures for child protection, including the roles and responsibilities of central authorities and municipalities, and their collaborative efforts in the execution of child protection activities. Moreover, it outlines the participation of various legal entities and individuals in these activities. According to the law, child protection is implemented through different protective measures. The law stipulates that all children, as well as persons, victims of abuse, whose age cannot be ascertained, have the right to protection, regardless of their race, nationality, ethnicity, gender, origin, property, religion, education, belief or disability.</p> <p>The Child Protection Act (<i>Закон за закрила на детето</i>) is a unified act, but it does not set out the regulatory framework in all related areas. Its primary aim when it was adopted was to enhance the constitutional provision of providing protection to children by emphasising its social aspect. Since then, it has undergone multiple amendments to extend its coverage to all children and not just to those at risk.<sup>4</sup> Nevertheless, the act has yet to attain the level of comprehensiveness required to serve as the</p>

<sup>3</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022.

<sup>4</sup> National Network for Children (*Национална мрежа за децата*) (2020), 'How the Child Protection Act came to be passed – briefly on its social and political context' (*'Как се стигна до приемането на Закона за закрила на детето – накратко за неговия социален и политически контекст'*), press release, 10 February 2020.

			regulatory framework for all areas related to children. When it intersects with other legal acts, the provisions laid down in those acts are considered complementary rather than subordinate. Thus, for example, the definition and best interest principles outlined in the Child Protection Act apply whenever other acts refer to a child.
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1.2.3. Please provide an inventory of key child protection related legislation, including hyperlinks, date of adoption and the areas covered. Please include civil, criminal, and administrative legislation covering different areas of child protection (please add rows, as needed).

Legislation	Date passed	Child protection areas covered
Constitution of Republic of Bulgaria ( <i>Конституция на Република България</i> ) <sup>5</sup>	13 July 1991	Protection of children by the State; assistance of the State for raising and upbringing children; equal rights for children born out of wedlock with the ones born in wedlock; protection by the State and society of abandoned children; right to education; right to family life.
Child Protection Act ( <i>Закон за закрила на детето</i> ) <sup>6</sup>	13 June 2000	Legal definition of a child, protection and respect of children's personal rights, protection of children at risk, talented children, children in public places, children with disabilities, adopted children; rights of the child (right to protection, protection against violence, protection of child's personality, freedom of expression, right to information and consultation, protection of religious beliefs, protection of children involved in judicial proceedings); obligations of responsible institutions, parents and guardians.
Rules on the Implementation of the Child Protection Act ( <i>Правилник за прилагане на Закона за закрила на детето</i> ) <sup>7</sup>	25 July 2003	Conditions and procedures for the implementation of child protection measures; provision of financial aid; monitoring of compliance with children's rights.

<sup>5</sup> Bulgaria, Constitution of the Republic of Bulgaria (*Конституция на Република България*), 13 July 1991, last amended 18 December 2015.

<sup>6</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022.

<sup>7</sup> Bulgaria, Rules on the Implementation of the Child Protection Act (*Правилник за прилагане на Закона за закрила на детето*), 27 July 2003, last amended 8 January 2021.

Regulation on the Special Protection of Children in Public Places ( <i>Наредба за специализираната закрила на деца на обществени места</i> ) <sup>8</sup>	25 July 2003	Conditions and procedures for the implementation of special protection of children in public places; conditions and procedures for holding organised events for children in public places; training for children in risk prevention and in the necessary behaviour in crisis situations.
Regulation on the Conditions and Procedures for the Protection of Children with Outstanding Gifts ( <i>Наредба за условията и реда за осъществяване на закрила на деца с изявени дарби</i> ) <sup>9</sup>	17 December 2003	Right of protection for children with outstanding gifts in science, art or sports; measures to promote creative talents and needs of children with outstanding gifts; support for education in art, science and sport courses; support for participation in plain air, training and training camps; support for participation in national and international competitions, Olympiads and contests.
Family Code ( <i>Семеен кодекс</i> ) <sup>10</sup>	1 October 2009	Origin of a child; parental rights; custody rights; guardianship of children; adoption; alimony; managing the estate of the child; parental rights after a divorce.
Regulation RD-07-7 of 5 October 2010 on the conditions and procedure for keeping and storing full adoption registers ( <i>Наредба РД-07-7 от 5.10.2010 г. за условията и реда за водене и съхраняване на регистрите за пълно осиновяване</i> ) <sup>11</sup>	19 October 2010	Rules for maintaining registers of adoptable children, adopters, and an electronic information system; guidelines for entry into the registers; social examinations for prospective adopters; issuing and terminating permits; training and support for adopters; special arrangements for adopting children with specific needs.

<sup>8</sup> Bulgaria, Regulation on the Special Protection of Children in Public Places (*Наредба за специализираната закрила на деца на обществени места*), 1 August 2003, last amended 12 July 2013.

<sup>9</sup> Bulgaria, Regulation on the Conditions and Procedures for the Protection of Children with Outstanding Gifts (*Наредба за условията и реда за осъществяване на закрила на деца с изявени дарби*), 17 December 2003, last amended 23 December 2022.

<sup>10</sup> Bulgaria, Family Code (*Семеен кодекс*), 1 October 2009, last amended 4 December 2020.

<sup>11</sup> Bulgaria, Regulation RD-07-7 of 5 October 2010 on the Conditions and Procedure for Keeping and Storing Full Adoption Registers, (*Наредба РД-07-7 от 5.10.2010 г. за условията и реда за водене и съхраняване на регистрите за пълно осиновяване*), 19 October 2010, last amended 14 May 2019.

Protection against Domestic Violence Act ( <i>Закон за защита от домашното насилие</i> ) <sup>12</sup>	29 March 2005	Special form of psychological and emotional domestic violence if a child has witnessed domestic violence; protection of a child victims or witnesses of domestic violence; protection of the child by ordering their stay with the non-violent parent or applying measures according to the Child Protection Act ( <i>Закон за закрила на детето</i> ).
Inheritance Act ( <i>Закон за наследството</i> ) <sup>13</sup>	30 April 1949	Right of inheritance for children; right of a share of inheritance for adopted children.
Civil Procedure Code ( <i>Граждански процесуален кодекс</i> ) <sup>14</sup>	1 March 2008	Representation of children in civil cases; alimony and parenting cases; divorce and termination of divorce until the child turns a certain age; compulsory mediation for certain family cases involving children.
Bulgarian Citizenship Act ( <i>Закон за българското гражданство</i> ) <sup>15</sup>	10 February 1999	Acquisition of Bulgarian citizenship by children (by residence and by naturalisation); presumption of Bulgarian citizenship for children found without established origin.
Civil Registration Act ( <i>Закон за гражданската регистрация</i> ) <sup>16</sup>	27 July 1999	Drawing up civil status certificates for children; civil registration of newborn children; civil registration of children in cases of abandonment; address registration of children in alternative care.
Protection against Discrimination Act ( <i>Закон за защита от дискриминацията</i> ) <sup>17</sup>	1 January 2004	Special protection of orphans not constituting discrimination; discrimination on the grounds of age and disability.

<sup>12</sup> Bulgaria, Protection against Domestic Violence Act (*Закон за защита от домашното насилие*), 29 March 2005, last amended 27 December 2019.

<sup>13</sup> Bulgaria, Inheritance Act (*Закон за наследството*), 30 April 1949, last amended 23 June 2009.

<sup>14</sup> Bulgaria, Civil Procedure Code (*Граждански процесуален кодекс*), 1 March 2003, last amended 2 February 2023.

<sup>15</sup> Bulgaria, Bulgarian Citizenship Act (*Закон за българското гражданство*), 20 February 1999, last amended 1 April 2022.

<sup>16</sup> Bulgaria, Civil Registration Act (*Закон за гражданската регистрация*), 27 July 1999, last amended 11 December 2020.

<sup>17</sup> Bulgaria, Protection against Discrimination Act (*Закон за защита от дискриминацията*), 20 June 2003, last amended 19 January 2018.

Health Act ( <i>Закон за здравето</i> ) <sup>18</sup>	1 January 2005	Health protection for children; access to quality healthcare services for children (especially children with disabilities or living in state houses); healthcare services in educational and specialised institutions for children; medical informed consent for children – role of parents and institutions; responsibility of parents and guardians in cases of compulsory vaccination; obligation of medical specialists in cases of risk of child abandonment; autopsy in the cases child death in hospitals.
Regulation on the Medical Expertise ( <i>Наредба за медицинската експертиза</i> ) <sup>19</sup>	27 June 2017	Criteria for medical assessment of disability and procedures for its application on children; types and level of disabilities of children up to 16 years old; procedures for attesting a child’s disability.
People with Disabilities Act ( <i>Закон за хората с увреждания</i> ) <sup>20</sup>	1 September 2019	Support for personal development of children and students with disabilities; issuance of medical records for children with disabilities; support for parents and guardians of children with disabilities.
Bulgarian Sign Language Act ( <i>Закон за българския жестов език</i> ) <sup>21</sup>	6 February 2021	Role of institutions and medical experts on providing information and consultation to children and parents of children with hearing and visual impairments; regime of communication in schools specialised for children with hearing and visual impairments; personal development support for children with hearing impairments in non-specialised schools; possibility of learning Bulgarian sign language for students without hearing and visual impairments.
Personal Assistance Act ( <i>Закон за личната помощ</i> ) <sup>22</sup>	18 December 2018	Right to personal assistance for children with certain level of disability.

<sup>18</sup> Bulgaria, Health Act (*Закон за здравето*), 1 December 2005, last amended 25 January 2023.

<sup>19</sup> Bulgaria, Regulation on the Medical Expertise (*Наредба за медицинската експертиза*), 27 June 2017, last amended 31 January 2023.

<sup>20</sup> Bulgaria, People with Disabilities Act (*Закон за хората с увреждания*), 1 September 2019, last amended 25 January 2023.

<sup>21</sup> Bulgaria, Bulgarian Sign Language Act (*Закон за българския жестов език*), 6 February 2021, last amended 31 January 2023.

<sup>22</sup> Bulgaria, Personal Assistance Act (*Закон за личната помощ*), 18 December 2018, last amended 28 January 2022.

Preschool and School Education Act ( <i>Закон за предучилищното и училищното образование</i> ) <sup>23</sup>	1 August 2016	Providing, evaluating and mandating the right to preschool and school education in a non-discriminatory manner; protecting the children's physical and psychological development.
Social Security Code ( <i>Кодекс за социално осигуряване</i> ) <sup>24</sup>	1 January 2000	Caring for a child up until their third year counts as a work experience for the parent; financial compensation for caring for a small or sick child.
Health Insurance Code ( <i>Кодекс за здравното осигуряване</i> ) <sup>25</sup>	19 June 1998	Insurance of children by the state, including children in institutions.
Social Assistance Act ( <i>Закон за социалното подпомагане</i> ) <sup>26</sup>	19 May 1998	Responsibilities of the Social Assistance Agency (SAA) ( <i>Агенция за социално подпомагане</i> , АСП) to maintain registers of children who can be adopted; right to social benefits for caregivers; exemption from employment programmes for unemployed citizens who are taking care of a child.
Social Services Act ( <i>Закон за социалните услуги</i> ) <sup>27</sup>	22 March 2020	Utilisation, planning, financing, supervising and monitoring the social services for children.
Regulation on the Quality of Social Services ( <i>Наредба за качеството на социалните услуги</i> ) <sup>28</sup>	28 June 2022	Quality standards for social services for children and criteria for their implementation; basic principles and methods for monitoring the quality of social services; procedure for control, monitoring and evaluation of the quality and effectiveness of social services for children.

<sup>23</sup> Bulgaria, Preschool and School Education Act (*Закон за предучилищното и училищното образование*), 1 August 2016, last amended 2 February 2023.

<sup>24</sup> Bulgaria, Social Security Code (*Кодекс за социално осигуряване*), 1 January 2000, last amended 25 January 2023.

<sup>25</sup> Bulgaria, Health Insurance Code (*Кодекс за здравното осигуряване*), 19 June 1998, last amended 7 February 2023.

<sup>26</sup> Bulgaria, Social Assistance Act (*Закон за социалното подпомагане*), 19 May 1998, last amendment 23 December 2022.

<sup>27</sup> Bulgaria, Social Services Act (*Закон за социалните услуги*), 22 March 2020, last amended 30 December 2022.

<sup>28</sup> Bulgaria, Regulation on the Quality of Social Services (*Наредба за качеството на социалните услуги*), 28 June 2022, last amended 1 July 2022.

Regulation on the conditions and procedures for the implementation of measures to prevent the abandonment of children and their placement in institutions, as well as for their reintegration ( <i>Наредба за условията и реда за осъществяване на мерки за предотвратяване изоставянето на деца и настаняването им в институции, както и за тяхната реинтеграция</i> ) <sup>29</sup>	22 August 2003	Measures for preventing the abandonment of children and their placement in specialised institutions; reintegration of the child into the family; support for pregnant women at risk of abandoning their child after birth.
Family Benefits for Children Act ( <i>Закон за семейните помощи за деца</i> ) <sup>30</sup>	1 April 2002	Conditions and control for providing social allowances to families and parents with children.
Regulation on the conditions and procedure for application, selection and approval of foster families and placement of children in such families ( <i>Наредба за условията и реда за кандидатстване, подбор и утвърждаване на приемни семейства и настаняване на деца в тях</i> ) <sup>31</sup>	12 December 2006	Requirements, procedures, and criteria for application, selection, and approval of foster families; placing children in foster families.
Regulation on Inclusive Education ( <i>Наредба за приобщаващото образование</i> ) <sup>32</sup>	20 October 2017	Provision of general and additional support for the personal development of children and students; provision of personal development in centres for personal development; imposition of educational

<sup>29</sup> Bulgaria, Regulation on the conditions and procedures for the implementation of measures to prevent the abandonment of children and their placement in institutions, as well as for their reintegration (*Наредба за условията и реда за осъществяване на мерки за предотвратяване на изоставянето на деца и настаняването им в институции, както и за тяхната реинтеграция*), 22 August 2003, last amended 7 May 2019.

<sup>30</sup> Bulgaria, Family Benefits for Children Act (*Закон за семейните помощи за деца*), 1 April 2002, last amended 23 December 2022.

<sup>31</sup> Bulgaria, Regulation on the conditions and procedure for application, selection and approval of foster families and placement of children in such families (*Наредба за условията и реда за кандидатстване, подбор и утвърждаване на приемни семейства и настаняване на деца в тях*), 4 December 2006, last amended 10 May 2019.

<sup>32</sup> Bulgaria, Regulation on Inclusive Education (*Наредба за приобщаващото образование*), 20 October 2017, last amended 2 November 2021.

		sanctions for students; individual learning plans and programmes for students with special needs or impairments; support for personal development of children and students in a remote and electronic environment.
Labour Code ( <i>Кодекс на труда</i> ) <sup>33</sup>	1 April 1987	Right to parental leave; right to leave of a parent who takes care of a quarantined child; rights of employees to reconcile work and family responsibilities; protection from dismissal for mothers of children aged up to three years; recognition of work experience parents who take care of a child.
Regulation No 6 of 24 July 2006 on the Conditions and Procedures for Granting Work Permits to Persons under the Age of 18 ( <i>Наредба № 6 от 24.07.2006 г. за условията и реда за даване на разрешения за работа на лица, ненавършили 18 години</i> ) <sup>34</sup>	9 November 2011	Procedures for granting work permits to children; employers' obligation to ensure healthy and safe working conditions for persons under the age of 18; jobs, processes and workplaces prohibited to persons under the age of 18.
Asylum and Refugees Act ( <i>Закон за убежището и бежанците</i> ) <sup>35</sup>	1 December 2002	Presumption of vulnerability of refugee children and provision of additional protection in the best interest of the child; procedure for granting international protection to children; legal representation of unaccompanied children by qualified lawyers.
Combating Trafficking in Human Beings Act ( <i>Закон за борба с трафика на хора</i> ) <sup>36</sup>	20 June 2003	Procedure in cases of child trafficking (accommodation, education, finding parents) with a reference to the Child Protection Act ( <i>Закон за закрила на детето</i> ).

<sup>33</sup> Bulgaria, Labour Code (*Кодекс на труда*), 1 April 1986, last amended 10 February 2023.

<sup>34</sup> Bulgaria, Regulation No 6 of 24 July 2006 on the Conditions and Procedures for Granting Work Permits to Persons under the Age of 18 (*Наредба № 6 от 24.07.2006 г. за условията и реда за даване на разрешения за работа на лица, ненавършили 18 години*), 9 November 2006, last amended 8 August 2017.

<sup>35</sup> Bulgaria, Asylum and Refugees Act (*Закон за убежището и бежанците*), 1 December 2002, last amended 26 April 2022.

<sup>36</sup> Bulgaria, Combating Trafficking in Human Beings Act (*Закон за борба с трафика на хора*), 20 May 2003, last amended 15 October 2019.

Combating Anti-Social Behaviour of Minors and Juveniles Act ( <i>Закон за борба с противообществените прояви на малолетните и непълнолетните</i> ) <sup>37</sup>	15 March 1958	Measures for preventing and combating anti-social behaviour of children and procedures for their implementation; responsible institutions; appointment of trusted representatives; court proceedings; reports by the Social Assistance Directorates (SAD) ( <i>Дирекция „Социално подпомагане“</i> , ДСП).
Ministry of the Interior Act ( <i>Закон за Министерството на вътрешните работи</i> ) <sup>38</sup>	27 June 2006	Limitation on use of police force against children under the age of 14 and pregnant women; accompaniment of children under the age of 14 by police authorities.
Regulation No I-51 of 12 March 2001 on the conditions and procedures for granting police protection to children ( <i>Наредба № I-51 от 12 март 2001 г. за условията и реда за предоставяне на полицейска закрила на детето</i> ) <sup>39</sup>	28 March 2001	Police protection to child victims of crime, children at imminent danger to their life and health, children at risk of being involved in the commission of a crime, and children who are lost, helpless or left unattended.
Criminal Code ( <i>Наказателен кодекс</i> ) <sup>40</sup>	2 April 1968	Age of criminal responsibility (14 years); criminal responsibility and penalties of children under the age of 18; aggravated offences of crimes against children.
Criminal Procedure Code ( <i>Наказателно-процесуален кодекс</i> ) <sup>41</sup>	29 April 2006	Special rules for criminal proceedings involving children (as witnesses, victims, injured parties, defendants).

<sup>37</sup> Bulgaria, Combating Anti-Social Behaviour of Minors and Juveniles Act (*Закон за борба с противообществените прояви на малолетните и непълнолетните*), 15 March 1958, last amended 27 December 2019.

<sup>38</sup> Bulgaria, Ministry of the Interior Act (*Закон за Министерството на вътрешните работи*), 27 June 2006, last amended 5 August 2022.

<sup>39</sup> Bulgaria, Ministry of the Interior (*Министерство на вътрешните работи*), Regulation No I-51 of 12 March 2001 on the conditions and procedures for granting police protection to children (*Наредба № I-51 от 12 март 2001 г. за условията и реда за предоставяне на полицейска закрила на детето*), 28 March 2001, last amended 1 August 2017.

<sup>40</sup> Bulgaria, Criminal Code (*Наказателен кодекс*), 2 April 1968, last amended 31 January 2023.

<sup>41</sup> Bulgaria, Criminal Procedure Code (*Наказателно-процесуален кодекс*), 29 April 2006, last amended 5 August 2022.

Protection of Persons Endangered in Relation to Criminal Proceedings Act ( <i>Закон за защита на лица, застрашени във връзка с наказателното производство</i> ) <sup>42</sup>	25 May 2005	Protection of persons during criminal proceedings, including through personal or property security, temporary safe accommodation, change of place of living, working or studying, change of place of detention, change of identity.
Legal Aid Act ( <i>Закон за правната помощ</i> ) <sup>43</sup>	1 January 2006	Access to legal aid for children in specialised institutions, caregivers, unaccompanied children, children at risk, victims of domestic and/or sexual violence, unaccompanied refugee children.

### 1.3. Policy framework

Question	YES	NO	Comments
1.3.1. Is there a specific national or sub-national policy framework and/or a national or sub-national strategy on child rights and/or child protection? <u>If yes</u> , does it require an integrated approach to child protection?		X	In Bulgaria, there is no specific national policy framework or strategy on child rights and child protection. During the reporting period, the government presented for public consultation but then withdrew the draft of a new national child strategy aimed to replace the previous one, which expired in 2018. <sup>44</sup> A revised version of the draft was prepared in August 2022, but it has not been submitted to parliament or otherwise made publicly available. <sup>45</sup> Thus, at present, there is no policy document that could serve as the primary national

<sup>42</sup> Bulgaria, Protection of Persons Endangered in Relation to Criminal Proceedings Act (*Закон за защита на лица, застрашени във връзка с наказателното производство*), 15 May 2005, last amended 24 September 2021.

<sup>43</sup> Bulgaria, Legal Aid Act (*Закон за правната помощ*), 1 January 2006, last amended 2 February 2023.

<sup>44</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Draft National Strategy for the Child 2019-2030 (*Проект на Национална стратегия за детето 2019-2020 г.*), 10 January 2019. For more information about the withdrawal of the draft see Markov, D., Doichinova, M. and Todorova R. (2022), *Novel approaches to generating data on hard-to-reach populations at risk of violation of their rights: Thematic report on children*, Sofia, National Statistical Institute, p. 9.

<sup>45</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2023), Report on the activities of the State Agency for Child Protection for 2022 (*Доклад за дейността на Държавната агенция за закрила на детето за 2022 г.*), 28 February 2023.

			policy framework for child protection and children's rights. <sup>46</sup>
1.3.2. Are there national or sub-national plans for action or policies targeting specific groups of children or particular areas, e.g. children with disabilities, children in care?	X		<p>In Bulgaria, there are several plans of action targeting specific groups of children.</p> <p>The National Programme for the Prevention of Child Violence and Abuse 2023-2026 (<i>Национална програма за превенция на насилието и злоупотреба с деца 2023 – 2026 г.</i>)<sup>47</sup> targets children at risk of violence.</p> <p>The Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (<i>План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030</i>) targets specifically children at risk of social exclusion. The plan is based on the results of a pilot project on implementing the EU Child Guarantee in Bulgaria coordinated by UNICEF.<sup>48</sup></p> <p>Other policy documents that aim to support vulnerable groups of the population also envisage measures targeting the children belonging to the respective group. However, these documents usually focus on the vulnerable communities as a whole, rather than specifically on children.</p>
1.3.3. Are there national or sub-national child protection policies regarding children in the digital space and when using online media?		X	<p>Currently, there are no policy documents targeting specifically the protection of children in the digital space or children and online media.</p> <p>However, there are individual measures laid down in other policy documents dealing with the digital space. One such document is the National Digital Bulgaria Programme 2025 (<i>Национална програма Цифрова България 2025</i>), which defines safer internet for children as one of its objectives and lists</p>

<sup>46</sup> In June 2023, outside the reference period of the present report, the government established an interinstitutional working group tasked with the elaboration of a new national strategy on the rights of the child for the period 2024-2030.

<sup>47</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Programme for the Prevention of Child Violence and Abuse 2023-2026 (*Национална програма за превенция на насилието и злоупотреба с деца 2023 – 2026 г.*), 23 January 2023.

<sup>48</sup> For more information on the implementation of the pilot project in Bulgaria, see the [website](#) of UNICEF Bulgaria.

		<p>several measures such as protecting children from harmful content, exchanging promising practices, and improving implementation of policies and strategies at national level.<sup>49</sup> Another such document, the National Development Programme Bulgaria 2030 (<i>Национална програма за развитие „България 2030“</i>), defines the formation of digital competences using information and communication technologies as one of its key policy areas.<sup>50</sup></p> <p>However, the Action Plan for the Implementation of the National Programme for the Prevention of Child Violence and Abuse 2023-2026 (<i>План за действие за изпълнение на Националната програма за превенция на насилието и злоупотребата с деца 2023 – 2026 г.</i>)<sup>51</sup> envisages a legislative measure to enable the police to obtain data on the IP address of the publisher of material with content harmful to children, which is not a serious crime (according to the penal legislation), and data on the child victims, in cases where the act was committed through information technology and concerned children. The deadline for the implementation of this measure is 31 December 2023.</p> <p>Currently, there are no other action plans in place regarding children in the digital space beyond those that specifically focus on violence and abuse.</p>
<p>1.3.4. Is there a (regular) child participation policy and/or mechanism and/or body related to child rights and/or other child-related governance at national or sub-national level to ensure children have a (direct) voice in or can indirectly influence</p>	<p>X</p>	<p>The main child participation mechanism to ensure children have a voice and can influence policy making is the Children’s Council (<i>Съвет на децата</i>) with the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>). The council consists of 33 children and can make proposals to the public authorities and local administration on all matters related to children.<sup>52</sup></p>

<sup>49</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Digital Bulgaria Programme 2025 (*Национална програма Цифрова България 2025*), 5 December 2019.

<sup>50</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Development Programme 2030 (*Национална програма за развитие „България 2030“*), 2 December 2020.

<sup>51</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Programme for the Prevention of Child Violence and Abuse 2023-2026 (*Национална програма за превенция на насилието и злоупотреба с деца 2023 – 2026 г.*), 23 January 2023.

<sup>52</sup> Bulgaria, Statute of the Children’s Council with the Chairperson of the State Agency for Child Protection (*Устав на Съвета на децата към председателя на ДАЗД*), September 2019.

<p>policy making, e.g. children’s rights forum, child surveys, child participation platform? If <u>yes</u>, are appropriate child protection and safety measures in place?</p>		<p>The Council’s outcomes are advisory for the public authorities.<sup>53</sup></p> <p>In January 2023, the government adopted the National Youth Strategy 2021-2030 (<i>Национална стратегия за младежта 2021 – 2030 г.</i>),<sup>54</sup> which envisages measures to encourage the quality participation of young people in the formulation, development, implementation and enforcement of youth policies at national, regional and local level. The strategy targets young people aged between 15 to 29 years.</p>
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#### 1.4. Particular groups of children: information on legislative and policy developments (if any) related to their protection

Please report on any significant developments in the last five years and comment briefly.

When answering you should consider all relevant civil, criminal, and administrative legislation, including regulations, ordinances, codes, ministerial decisions. On policy developments please include any relevant action plan, protocol, procedure, or guidance issued by competent authorities. Please always specify how children’s participation in any respective judicial (civil, criminal, and administrative) proceedings are regulated and supported (e.g. procedural safeguards to be in place, ensuring children’s right to be heard).

##### 1.4.1. Children victims of abuse, exploitation, or neglect

In the areas of online and offline sexual abuse, pornography, exploitation and child labour, trafficking; domestic violence and gender-based violence including harmful practices, such as genital mutilation, child/forced marriage, honour-related violence; abuse or discrimination; ICT and cyber bullying; school bullying; neglect and children at risk of abuse and neglect, including street children (begging or selling things)

Policy developments

Legislative developments

<sup>53</sup> Bulgaria, Statute of the Children’s Council with the Chairperson of the State Agency for Child Protection (*Устав на Съвета на децата към председателя на ДАЗД*), September 2019, Art. 1.

<sup>54</sup> Bulgaria, National Assembly (*Народно събрание*), National Youth Strategy 2021-2030 (*Национална стратегия за младежта 2021 – 2030 г.*), 31 January 2023.

Until 2020, the main policy document in the area of violence against children was National Programme for the Prevention of Violence and Child Abuse 2017-2020 (*Националната програма за превенция на насилието и злоупотребата с деца 2017 – 2020 г.*).<sup>55</sup> The programme was aimed to frame the national policy against child violence through a mechanism for coordination and communication between public authorities, the civil society and NGOs. For that purpose, the programme contained eight strategic objectives with corresponding measures laid down in an Action Plan.<sup>56</sup>

One of the measures laid down in the Action Plan<sup>57</sup> was the ratification of the Council of Europe Convention on Preventing and Combating Violence Against Women (the Istanbul Convention) and the revision of the legislation to bring it in line with the Convention. However, the implementation of these measures was blocked by a decision of the Constitutional Court (*Конституционен съд*) that the Convention contradicts with the Bulgarian Constitution.<sup>58</sup> As a result, the Convention was not

During the reporting period, several legislative developments took place in relation to child victims of violence.

New provisions on children at risk of violence and neglect were included in the Child Protection Act (*Закон за закрила на детето*).<sup>65</sup> The amendments, adopted in 2019, provide for mandatory notification of the director of the respective local Social Assistance Directorate (SAD) (*Дирекция „Социално подпомагане“*, ДСП) when a child is at risk of abandonment.<sup>66</sup> The new rules were also aimed to improve interagency coordination, particularly in preventing violence against children and child abandonment. The government also revised the regulation laying down the measures against child abandonment<sup>67</sup> to align it with the new legal standards. The 2019 amendments to the Child Protection Act (*Закон за закрила на детето*) also introduced special rules on the implementation of the coordination mechanism in cases of violence against children,

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<sup>55</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Programme for the Prevention of Violence and Child Abuse 2017-2020 (*Национална програма за превенция на насилието и злоупотребата с деца 2017 – 2020 г.*), 9 February 2017.

<sup>56</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Programme for the Prevention of Child Violence and Abuse 2017-2020 (*Национална програма за превенция на насилието и злоупотребата с деца 2017 – 2020 г.*), 9 February 2017.

<sup>57</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Action plan for the period 2017-2018 to the National Programme for the Prevention of Child Violence and Abuse 2017-2020 (*План за действие за периода 2017-2018 г. към Национална програма за превенция на насилието и злоупотребата с деца 2017-2020 г.*), 27 July 2023.

<sup>58</sup> Bulgaria, Constitutional Court (*Конституционен съд*), Constitutional case No 3/2018 (*Конституционно дело № 3/2018*), 27 July 2018.

<sup>65</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022.

<sup>66</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 39.

<sup>67</sup> Bulgaria, Regulation on the conditions and procedures for the implementation of measures to prevent the abandonment of children and their placement in institutions, as well as for their reintegration (*Наредба за условията и реда за осъществяване на мерки за предотвратяване изоставянето*

ratified, while amendments to the Protection against Domestic Violence Act (*Закон за защита от домашното насилие*) were drafted and adopted in August 2023.<sup>59</sup>

In January 2023, the government adopted a new National Programme for the Prevention of Child Violence and Abuse 2023-2026 (*Национална програма за превенция на насилието и злоупотреба с деца 2023 – 2026 г.*)<sup>60</sup> and an Action Plan<sup>61</sup> for its implementation. The programme contains five main strategic objectives: (1) ensuring effective protection from violence and harmful influence on children in the living environment, (2) ensuring adequate legal framework for child protection against all forms of violence and exploitation, (3) effective response and investigation of cases of violence and exploitation, increasing the professional capacity of specialists working with children and the awareness of children and their families, and support for parents, (5) improving inter-institutional cooperation and collaboration to protect children from violence.

Regarding children at risk of becoming victims of trafficking, in 2017, the government adopted a National Strategy to Combat Human Trafficking 2017-2021 (*Национална стратегия за борба с*

which previously operated without being explicitly provided for in a law.

In July 2022, the parliament amended the Criminal Code (*Наказателен кодекс*)<sup>68</sup> to address cybercrime and enhance the provisions related to online sexual exploitation of children. The amendments increased the penalties for sexual crimes against children below 14 years of age, including those committed online. According to the explanatory report to the draft, the heavier penalties better correspond to the severity of these offenses and the significant public danger associated with them.<sup>69</sup>

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*на деца и настаняването им в институции, както и за тяхната реинтеграция*), 22 August 2003, last amended 7 May 2019.

<sup>59</sup> Bulgaria, Protection against Domestic Violence Act (*Закон за защита от домашното насилие*), 29 March 2005, last amended 11 August 2023.

<sup>60</sup> Bulgaria, National Programme for the Prevention of Child Violence and Abuse 2023-2026 (*Национална програма за превенция на насилието и злоупотреба с деца 2023 – 2026 г.*), 23 January 2023.

<sup>61</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Action Plan for the Implementation of the National Programme for the Prevention of Child Violence and Abuse 2023-2026 (*План за действие за изпълнение на Националната програма за превенция на насилието и злоупотребата с деца 2023 – 2026 г.*), 23 January 2023.

<sup>68</sup> Bulgaria, Criminal Code (*Наказателен кодекс*), 2 April 1968, last amended 31 January 2023.

<sup>69</sup> Bulgaria, National Assembly (*Народно събрание*) (2022), Explanatory report to the Draft Act amending and supplementing the Criminal Code (*Мотиви към проекта на Закон за изменение и допълнение на Наказателния кодекс*), 18 March 2022, p. 3.

трафика на хора 2017-2021).<sup>62</sup> One of the main priorities of the strategy was to create an immediate, competent and child-sensitive response to child victims of trafficking by establishing procedures to ensure identification, assistance, support and respect for the rights of child victims of trafficking. The National Commission for Combatting Trafficking in Human Beings (NCCTHB) (*Национална комисия за борба с трафика на хора, НКБТХ*) implemented measures to prevent the trade of children and illicit adoption, which involves the trafficking of pregnant women with the intent of selling their newly born babies. These measures are included in the annual national and regional anti-trafficking action plans.<sup>63</sup>

One of the target groups of the Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (*План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030*)<sup>64</sup> are the children living in a precarious family environment (child victims of violence, children raised by single parents, underage mothers and their children, children of migrant parents, etc.).

#### 1.4.2. Children with disabilities

Please include children with learning difficulties, autism, and mental health impairments / psycho-social disabilities, severe chronic illnesses that prevent them e.g. from attending onsite school or sports activities

##### Policy developments

Until 2020, the main policy document in the area of people with disabilities was the National Strategy on People with Disabilities 2016-2020 (*Национална стратегия за хората с*

##### Legislative developments

In December 2018, the parliament adopted the People with Disabilities Act (*Закон за хората с*

<sup>62</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Strategy to Combat Human Trafficking 2017-2021 (*Национална стратегия за борба с трафика на хора 2017-2021*), 21 July 2017.

<sup>63</sup> For the national anti-trafficking plans see the [website](#) of the National Commission for Combating Trafficking in Human Beings.

<sup>64</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (*План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030*), 9 November 2022.

уврежданията 2016-2020).<sup>70</sup> The main purpose of this strategy was to ensure equal opportunities for people with disabilities to exercise their rights. All of the strategy's specific purposes referred to both children and adults with disabilities. A specific focus on children was included in the second strategic purpose aimed to ensure equal access to inclusive education and lifelong learning opportunities.

In 2023, the government adopted a new National Strategy for People with Disabilities 2021-2030 (*Национална стратегия за хората с уврежданията 2021-2030*).<sup>71</sup> This strategy envisages seven priorities, one of which is specifically dedicated to guaranteeing the rights of children with disabilities. The Action Plan<sup>72</sup> that accompanies the strategy prescribes two measures to accomplish this aim: providing supportive environment for the family/parent and the child, and developing measures to ensure independent development of children with disabilities.

In April 2021, the National Programme for Improving Maternal and Child Health 2021-2030 (*Национална програма за подобряване на майчиното и детското здраве*)<sup>73</sup> and the Action

увреждания).<sup>78</sup> The law came into force in 2019. Its main aims are to promote, protect and ensure full and equal enjoyment of the rights and freedoms of persons with disabilities. The law regulates different areas of support for people with disabilities including children. The educational and vocational training programmes have specifically incorporated provisions that cater to the personal development of children with special educational needs, including opportunities for adapted physical activity, sports training, and participation in sporting events. The programmes also include financial and administrative measures to ensure that these children receive the necessary support for their overall growth and development.

The new Personal Assistance Act (*Закон за личната помощ*)<sup>79</sup> was also adopted in 2018. The law's main aim is to help users of personal assistance to exercise their fundamental rights, to have a choice, independent living, active inclusion and participation in society, and access to services and activities.<sup>80</sup> According to the law, children with permanent disabilities can be granted personal

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<sup>70</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Strategy for People with Disabilities 2016-2020 (*Национална стратегия за хората с увреждания 2016 – 2020 г.*), 7 July 2016.

<sup>71</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Strategy for People with Disabilities 2021-2030 (*Национална стратегия за хората с увреждания 2021-2030*), 23 December 2020.

<sup>72</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Action Plan for the period 2021-2022 for implementation on the National Strategy for People with Disabilities 2021-2030 (*План за действие за периода 2021-2022 за изпълнение на Национална стратегия за хората с увреждания 2021-2030*), 23 December 2020.

<sup>73</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Programme for Improving Maternal and Child Health 2021-2023 (*Национална програма за подобряване на майчиното и детското здраве 2021 – 2023 г.*), 9 April 2021.

<sup>78</sup> Bulgaria, People with Disabilities Act (*Закон за хората с увреждания*), 1 September 2019, last amended 25 January 2023.

<sup>79</sup> Bulgaria, Personal Assistance Act (*Закон за личната помощ*), 18 December 2018, last amended 28 January 2022.

<sup>80</sup> Bulgaria, Personal Assistance Act (*Закон за личната помощ*), 18 December 2018, last amended 28 January 2022, Art. 2.

Plan<sup>74</sup> for its implementation were adopted. The programme aims to improve key indicators related to the health of young people, pregnant women, mothers and children by improving access to health services outside the scope of health insurance, health promotion and providing support for good practices in the field of integrated health and social services. The programme consists of five main priorities, one of which is the development of health and integrated health and social services to prevent complications in children with chronic diseases and disabilities. The measures under this priority include improving access to quality and effective health and integrated health and social services for children, providing comprehensive interdisciplinary medical care for children with chronic diseases and children with disabilities, providing quality integrated health and social services for children with chronic diseases and children with disabilities, etc.

The National Programme “Creating an Accessible Architectural Environment and Security at School” (Национална програма „Създаване на достъпна архитектурна среда и сигурност в училище“)<sup>75</sup> was implemented in 2021. The programme was aimed to ensure free access for people with disabilities and special educational needs to public

assistance if they meet the additional administrative requirements.<sup>81</sup>

Amendments concerning children with disabilities were introduced to the Family Benefits for Children Act (Закон за семейните помощи за деца).<sup>82</sup> Among the changes is the introduction of a new monthly allowance for children with permanent disabilities. The allowance is not income-dependent, varies based on the severity of the child's disability, and is aligned with its intended purpose.

In July 2020, the Child Protection Act (Закон за закрила на детето)<sup>83</sup> was amended to ensure interagency cooperation and notification in cases of imminent risk of child abandonment, abandonment of children after birth, and prevention of abandonment of children with disabilities.

In 2021, the parliament adopted the Bulgarian Sign Language Act (Закон за българския жестов език).<sup>84</sup> The law includes provisions focused on children with hearing and visual impairments, such as facilitating the learning of Bulgarian sign language, providing a language rich environment, and offering support from both kindergartens and schools.

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<sup>74</sup> Bulgaria, Council of Ministers (Министерски съвет), Action plan for the period 2021-2023 to the National Programme for Improving Maternal and Child Health 2021-2020 (План за действие за периода 2021 – 2023 г. към Националната програма за подобряване на майчиното и детско здраве 2021 – 2030 г.), 9 April 2021.

<sup>75</sup> Bulgaria, Ministry of Education and Science (Министерство на образованието и науката), National Programme “Creating an Accessible Architectural Environment and Security at School” (Национална програма „Създаване на достъпна архитектурна среда и сигурност в училище“), 10 March 2021.

<sup>81</sup> Bulgaria, Personal Assistance Act (Закон за личната помощ), 18 December 2018, last amended 28 January 2022, Art. 2 and Art. 9.

<sup>82</sup> Bulgaria, Family Benefits for Children Act (Закон за семейните помощи за деца), 1 April 2002, last amendment 23 December 2022.

<sup>83</sup> Bulgaria, Child Protection Act (Закон за закрила на детето), 13 June 2000, last amended 5 August 2022.

<sup>84</sup> Bulgaria, Bulgarian Sign Language Act (Закон за българския жестов език), 2 February 2021, last amended 31 January 2023.

service buildings designed for education by building accessible architectural environments for them.

Also in 2021, the government adopted the National Strategy for Mental Health of the Citizens of the Republic of Bulgaria 2021–2030 (*Национална стратегия за психично здраве на гражданите на Република България 2021 – 2030 г.*) and an Action Plan for its.<sup>76</sup> Although the strategy does not address only the situation of children it highlights the lack of activities for prevention and identification of mental disorders among children. Some of the strategy's specific aims are also targeted at children: developing specific measures to attract and retain specialists in child psychiatry, special focus on children's mental health in line with the United Nations Convention on the Rights of the Child to ensure special protection of children's rights, etc.

The Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (*План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030*) also addresses children with disabilities as one of its main target groups.

With regard to the COVID-19 pandemic, in April 2022, the European Commission sealed the Recovery and Resilience Plan for Bulgaria (*Национален план за възстановяване и устойчивост*).<sup>77</sup> One of its components – Social

In 2021, the regulation on the provision of obstetric care to women with no health insurance<sup>85</sup> was amended with the purpose to reduce the risk of women with no valid health insurance missing scans out of the obligatory health insurance and to improve prenatal diagnostics.

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<sup>76</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Strategy for Mental Health of the Citizens of the Republic of Bulgaria 2021–2030 and Action Plan for its implementation (*Национална стратегия за психично здраве на гражданите на Република България 2021 – 2030 г. и План за действие към националната стратегия за психичното здраве на гражданите на Република България 2021 – 2030 г.*), 23 April 2021.

<sup>77</sup> For more information, see the Recovery and Resilience Plan for Bulgaria on the dedicated government [website](#).

<sup>85</sup> Bulgaria, Ministry of Healthcare (*Министерство на здравеопазването*), Regulation No 26 of 14 June 2007 on the provision of obstetric care to women with no health insurance and on the performance of scans out of the obligatory health insurance of children and pregnant women (*Наредба № 26 от 14 юни 2007 г. за предоставяне на акушерска помощ на здравно неосигурени жени и за извършване на изследвания извън обхвата на задължителното здравно осигуряване на деца и бременни жени*), 14 June 2007, last amended 1 October 2021.

<p>Inclusion – envisages investments with regard to modernisation of the long-term care for people with disabilities, provision of assistive devices for persons with permanent disabilities, modernisation of the Social Assistance Agency (SAA) (<i>Агенция за социално подпомагане, АСП</i>) to ensure equal access to its services for people with disabilities, etc.</p>	
<p>1.4.3. Children in the context of migration</p> <p>Specific thematic areas: unaccompanied-separated children from third countries and within the EU; children in undocumented – irregular migrant families; asylum seeking children; refugee children</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>Until 2020, the main policy document in the area of migration was the National Strategy on Migration, Asylum and Integration 2015-2020 (<i>Национална стратегия в областта на миграцията, убежището и интеграцията 2015 – 2020 г.</i>).<sup>86</sup> Based on this strategy, the parliament adopted legislative changes regarding unaccompanied children. In 2023, the government adopted the new National Migration Strategy of the Republic of Bulgaria 2021-2025 (<i>Национална стратегия по миграция на Република България 2021 – 2025 г.</i>).<sup>87</sup> Both strategies highlight the importance of child protection in the context of migration. The current strategy recognises the imperative of undertaking concerted efforts to scrutinize the problematic elements that pertain to the coordination among institutions and the efficacy of the cooperation mechanism in respect of migrant</p>	<p>In 2018, the government amended to the Rules on the Implementation of the Foreigners in the Republic of Bulgaria Act (<i>Правилник за прилагане на Закона за чужденците в Република България</i>).<sup>91</sup> The amendments introduced legal definitions for unaccompanied children and accompanying persons, established a procedure for identifying and safeguarding unaccompanied children, and eliminated the option of placing such children in short-term detention. Previously, short-term detention had applied to all persons with an unknown identity.</p> <p>In 2020, the Asylum and Refugees Act (<i>Закон за убежището и бежанците</i>)<sup>92</sup> was amended regarding unaccompanied children in international protection proceedings. The adopted amendments provide that children seeking international</p>

<sup>86</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Strategy on Migration, Asylum and Integration 2015-2020 (*Национална стратегия в областта на миграцията, убежището и интеграцията 2015 – 2020 г.*), 12 June 2015.

<sup>87</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Migration Strategy of the Republic of Bulgaria 2021-2025 (*Национална стратегия по миграция на Република България 2021 – 2025 г.*), 25 March 2021.

<sup>91</sup> Bulgaria, Rules on the Implementation of the Foreigners in the Republic of Bulgaria Act (*Правилник за прилагане на Закона за чужденците в Република България*), 5 July 2011, last amended 10 June 2022.

<sup>92</sup> Bulgaria, Asylum and Refugees Act (*Закон за убежището и бежанците*), 1 December 2002, last amended 26 April 2022.

children. The strategy entails the identification of such impediments and the initiation of appropriate measures to overcome them.

On 18 April 2022, the Minister of Labor and Social Policy (*Министър на труда и социалната политика*) approved a coordination mechanism in cases of unaccompanied or separated children, including children seeking or having received international protection.<sup>88</sup> This mechanism facilitates communication and collaboration between institutions and organisations regarding unaccompanied or separated foreign children on Bulgarian territory. The mechanism also applies on children seeking or granted international or temporary protection. The mechanism's primary objective is to promote effective coordination and coherence among all parties responsible for working with these children in Bulgaria. The aim is to ensure that their rights are respected, and that everyone involved fulfils their specific obligations.

The Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (*План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030*)<sup>89</sup> also addresses children in the context of migration. One of the plan's target groups is refugee and migrant

protection in Bulgaria shall be represented by a specialised lawyer from the register of the National Legal Aid Bureau (NLAB) (*Национално бюро за правна помощ, НБПП*) until the child is reunited with their parents, guardian or custodian. The law establishes a framework for assessing the needs of individuals belonging to vulnerable groups, including children, who are seeking international protection. The changes provide further that the need for special procedural guarantees for persons from vulnerable groups can be established at any stage of the international protection proceedings.

No specific legislative changes aimed at children have been adopted in relation to the war in Ukraine. Access of children from Ukraine to education, healthcare, housing and other services is provided under the legal rules existing before the start of the war. In its 2022 annual activity report as National Preventive Mechanism,<sup>93</sup> published in the end of February 2023, the Ombudsman makes some recommends with regard to children under temporary protection like the need of inclusive education and psychological help.

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<sup>88</sup> Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*) (2022), Coordination Mechanism for Interaction between Institutions and Organisations in Cases of Unaccompanied or Separated Alien Children on the Territory of the Republic of Bulgaria, including Children Seeking and/or Granted International or Temporary Protection (*Координационен механизъм за взаимодействие между институциите и организациите при случаи на непридружени деца или разделени от семействата си деца чужденци, намиращи се на територията на република България, включително децата, търсещи и/или получили международна или временна закрила*), 18 April 2022.

<sup>89</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (*План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030*), 9 November 2022.

<sup>93</sup> Bulgaria, Ombudsman of the Republic of Bulgaria (*Омбудсман на Република България*) (2023), Annual report of the Ombudsman on its activities as National Preventive Mechanism in 2022 (*Годишен доклад на Омбудсмана за дейността му като Национален превантивен механизъм през 2022 г.*), 20 February 2023, p. 13.

<p>children, with a focus on unaccompanied children and children from ethnic minorities.</p> <p>The National Programme for the Prevention of Child Violence and Abuse 2023-2026 (<i>Национална програма за превенция на насилието и злоупотреба с деца 2023 – 2026 г.</i>)<sup>90</sup> also includes provisions related to children in the context of migration as one of the programme’s aims is to develop training materials on the rights of children, refugees and migrants, to explain the protection system in the country, translated into different languages and adapted for children.</p> <p>Bulgaria has not developed any policy specifically aimed to identify and register Ukrainian children who are seeking asylum in order to facilitate their access to child protection services.</p>	
<p>1.4.4. Children in alternative care</p> <p>Specific thematic areas: residential – institutional care; foster care; adoption (including international adoption)</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>The Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (<i>План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030</i>)<sup>94</sup> addresses children in alternative care as one of</p>	<p>In 2019, the Child Protection Act (<i>Закон за закрила на детето</i>)<sup>96</sup> and the regulation for its implementation were amended to include measures to prevent child abandonment and promote alternatives to institutional placement.</p> <p>Also in 2019, the parliament adopted the Social Services Act (<i>Закон за социалните услуги</i>).<sup>97</sup> Its primary</p>

<sup>90</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (*План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030*), 9 November 2022.

<sup>94</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (*План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030*), 9 November 2022.

<sup>96</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022.

<sup>97</sup> Bulgaria, Social Services Act (*Закон за социалните услуги*), 22 March 2020, last amended 30 December 2022.

its target groups is children in alternative care outside the family, especially those in residential care, including children and young people leaving alternative care.

No specific policy or data about children fleeing the war in Ukraine from children houses and their adaptation in the country alternative facilities is available. Representatives of the civil society sector are advocating for the collection of more precise data on vulnerable groups of children in order to provide targeted aid and ensure their proper adaptation.<sup>95</sup>

objectives are to promote equal access to social services, ensure their quality and efficiency, and uphold the right to life at home and in the community. Additionally, the law aims to promote an integrated approach to social services and encourage public-private partnerships. It also specifies that state-funded social services are free of charge for children, parents, and caregivers. The law divides social services into two categories: social services for children and social services for adults. Depending on the specific needs of the users, the social services for children can be for all children, for children at risk (within the meaning of the Child Protection Act), for parents, adoptive parents, caregivers, applicants for adoption and applicants for foster families, and for children with disabilities. The law was challenged before the Constitutional Court (CC) (*Конституционен съд, КС*), which declared three of its provisions unconstitutional.<sup>98</sup> According to the Court, these provisions "give broad rights to providers to visit and obtain personal information about the users and limit the rights of parents in cases of use of social services by children". Consequently, the three provisions were amended.

Also in 2019, two other regulations related to children were amended. The first was the regulation on preventing child abandonment.<sup>99</sup> The second was the regulation on the standards for social services,<sup>100</sup> which outlined the necessary criteria and standards for social services to ensure that they meet the needs of children. In 2022, the regulation on the standards for social

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<sup>95</sup> Tsekulova, N. (2023), Is there Anyone to Support the Most Vulnerable Among Ukrainian Refugees (*Има ли кой да подкрепя най-уязвимите сред украинските бежанци*), *Free Europe*, 14 February 2023.

<sup>98</sup> Bulgaria, Constitutional Court (*Конституционен съд*), Decision No 9 of 14 July 2020 on constitutional case No 14/2020 (*Решение № 9 от 14 юли 2020 г. по конституционно дело № 3/2020*), 14 July 2020.

<sup>99</sup> Bulgaria, Regulation on the conditions and procedures for the implementation of measures to prevent the abandonment of children and their placement in institutions, as well as for their reintegration (*Наредба за условията и реда за осъществяване на мерки за предотвратяване на изоставянето на деца и настаняването им в институции, както и за тяхната реинтеграция*), 22 August 2003, last amended 7 May 2019.

<sup>100</sup> Bulgaria, Regulation on the criteria and standards of social services (*Наредба за критериите и стандартите на социалните услуги*), 21 November 2003, abolished 2 July 2022.

	services was abolished and replaced by a regulation on the quality of social services. <sup>101</sup>
1.4.5. Children affected by custody disputes, including parental abduction	
Policy developments	Legislative developments
In 2020, in light of the difficulties encountered in cases involving children impacted by parental conflicts, which are frequently caused by the refusal of one of the parents to cooperate, and in response to the 2019 amendments to the Criminal Code ( <i>Наказателен кодекс</i> ), the State Agency for Child Protection (SACP) ( <i>Държавна агенция за закрила на детето, ДАЗД</i> ) and the Social Assistance Agency (SAA) ( <i>Агенция за социално подпомагане, АСП</i> ) updated their methodological instruction for working with children at risk of parental alienation. <sup>102</sup>	<p>In 2020, the Family Code (<i>Семеен кодекс</i>)<sup>103</sup> was amended to provide additional support to parents in the event of disputes over parental rights. According to the new rules, at the request of the Social Assistance Directorate (SAD) (<i>Дирекция за социално подпомагане, ДСП</i>), the social services are obligated to facilitate the contact between parents and their children, as well as between the parents themselves. In cases of conflict between the parents, the Social Assistance Directorate (SAD) (<i>Дирекция за социално подпомагане, ДСП</i>) is authorised to ask the court to order the use of social services by the parents, either individually or jointly with their child.</p> <p>Some of the amendments to the Family Code (<i>Семеен кодекс</i>), adopted in 2020, in regard to contesting paternity were challenged before the Constitutional Court (CC) (<i>Конституционен съд, КС</i>) by the Ombudsman. The amendments created the possibility for the presumed father to challenge the presumption of paternity more than one year after learning of the birth, which was not possible before. The other change extended the right to contest paternity to third persons claiming to be the child's father. According to the Ombudsman, these two provisions threaten the principles of certainty and stability of origin since they can apply retroactively. On 28 July 2022, the Constitutional Court (CC) (<i>Конституционен съд, КС</i>) came out with a decision that the provisions were not unconstitutional and were practically overcoming the previously existing injustice. The decision also provides</p>

<sup>101</sup> Bulgaria, Regulation on the Quality of Social Services (*Наредба за качеството на социалните услуги*), 28 June 2022, last amended 1 July 2022.

<sup>102</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*), Social Assistance Agency (*Агенция за социално подпомагане*), Methodological instruction for working with children at risk of parental alienation in 2020 (*Методологическо указание за работа по случай на деца в риск от родителско отчуждение*), 21 September 2020.

<sup>103</sup> Bulgaria, Family Code (*Семеен кодекс*), 1 October 2009, last amended 4 December 2020.

	<p>certain informal guidance for the courts how to apply these provisions.<sup>104</sup></p> <p>In 2023, several laws were amended in relation to mandatory mediation, including the Mediation Act (<i>Закон за медиацията</i>)<sup>105</sup> and the Civil Procedure Code (<i>Граждански процесуален кодекс</i>).<sup>106</sup> The amendments authorise the court to refer the parties to compulsory mediation in cases of divorce, disputes concerning the exercise of parental rights, the child's residence, the personal relations with the child, the child's maintenance, etc.<sup>107</sup></p>
1.4.6. Missing children	
Policy developments	Legislative developments
In the last five years there have been no policy developments related to missing children.	In the last five years there have been no legislative developments related to missing children.
1.4.7. Children at risk of poverty or social exclusion, or severely materially and socially deprived or living in a household with a very low work intensity (AROPE)	
Policy developments	Legislative developments
In 2021, the government adopted the National Strategy for Poverty Reduction and Social Inclusion 2030 ( <i>Национална стратегия за намаляване на бедността и насърчаване на социалното включване 2030</i> ) and the	The Family Benefits for Children Act ( <i>Закон за семейни помощи за деца</i> ) <sup>113</sup> was subject to different changes during the reporting period. One of the most important changes is the introduction of a new type of monthly allowance for children of a deceased parent who do not have the right to a survivor's pension. Another significant amendment broadened the eligibility criteria for the one-time assistance of BGN 300 (approximately

<sup>104</sup> Bulgaria, Constitutional Court (*Конституционен съд*), Decision No 11 of 28 July 2022 on constitutional case No 3/2022 (*Решение № 11 от 28 юли 2022 г. по конституционно дело № 3/2022*), 28 July 2022.

<sup>105</sup> Bulgaria, Mediation Act (*Закон за медиацията*), 17 December 2004, last amended 2 February 2023.

<sup>106</sup> Bulgaria, Civil Procedure Code (*Граждански процесуален кодекс*), 1 March 2003, last amended 2 February 2023.

<sup>107</sup> Bulgaria, Civil Procedure Code (*Граждански процесуален кодекс*), 1 March 2003, last amended 2 February 2023, Art. 140a(2).

<sup>113</sup> Bulgaria, Family Benefits for Children Act (*Закон за семейните помощи за деца*), 1 April 2002, last amended 23 December 2022.

Action Plan for its implementation.<sup>108</sup> Both documents are part of the enabling conditions for the European Regional Development Fund and ESF+ on promoting socio-economic inclusion.<sup>109</sup> The strategy places particular emphasis on reducing child poverty and providing support for both children and families. The document's strategic objectives include improving the quality of life for vulnerable groups in Bulgaria by offering them opportunities for full realisation, such as access to quality services, adequate income support, and opportunities in the labour market. Children and families with children are identified as one of the main target groups of the strategy.

Another policy that indirectly addresses the children at risk of poverty or social exclusion is the Employment Strategy of the Republic of Bulgaria 2021-2030 (*Стратегия по заетостта на Република България 2021-2030 г.*)<sup>110</sup> adopted by the government in 2021. The strategy sets out different encouragement measures for parents, particularly from vulnerable families.

Also in 2021, the government adopted a National Programme for Improving Maternal and Child Health 2021–2030 (*Национална програма за подобряването на майчиното*

€150) provided to families with children enrolled in certain grades. Previously, only families with children enrolled in the first and eighth grades of public schools (both state and municipal) were qualified for this assistance. After the changes, families with children in the first, second, third, fourth, and eighth grades of both public and private schools are eligible. Furthermore, the amendments introduced a new provision stating that single adoptive parents are entitled to receive allowances for their children, regardless of their income.

With regard to the COVID-19 pandemic, the parliament adopted the Measures and Actions During State of Emergency Act (*Закон за мерките и действията по време на извънредно положение*).<sup>114</sup> It provided for targeted aid for families, such as one-time targeted aid for children enrolled in the eighth grade, targeted aid for parents in case of closure of kindergartens, etc.

Another legislative development that is likely to affect children at risk of poverty or social exclusion is the revision of the Social Assistance Act (*Закон за социалното подпомагане*).<sup>115</sup> The amendments will enter into force in June 2023 and will link the amount of social benefits to the national poverty line instead of the guaranteed minimum income. Both the national poverty line and the guaranteed minimum income are defined by the government, but the guaranteed minimum income stands at BGN 75 (approximately € 36) and has not been changed since 2018, while the national poverty line is updated every year and for 2022 was BGN 413 (approximately € 206).

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<sup>108</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Strategy for Poverty Reduction and Social Inclusion 2030 (*Националната стратегия за намаляване на бедността и насърчаване на социалното включване 2030*), 31 December 2021.

<sup>109</sup> Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime and Fisheries Fund, OJ 2021 L 231, Annex III and Annex IV.

<sup>110</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Employment Strategy of the Republic of Bulgaria 2021-2030 (*Стратегия по заетостта на Република България 2021-2030 г.*), 15 July 2021.

<sup>114</sup> Bulgaria, Measures and Actions During State of Emergency Act (*Закон за мерките и действията по време на извънредно положение*), 24 March 2020, last amended 8 July 2022.

<sup>115</sup> Bulgaria, Social Assistance Act (*Закон за социалното подпомагане*), 19 May 1998, last amendment 23 December 2022.

<p><i>и детското здраве 2021 – 2023 г.</i>).<sup>111</sup> It envisages measures guaranteeing equal access to quality health care, including qualified care for pregnant women, regardless of their health insurance status.</p> <p>Additionally, one of the main target groups of the Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (<i>План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030</i>)<sup>112</sup> is children at risk of poverty.</p>	
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#### 1.4.8. Children belonging to minority ethnic groups, e.g. Roma, Sami, etc.

Policy developments	Legislative developments
<p>In 2021, the government adopted a Strategic framework for the development of education, training and learning in the Republic of Bulgaria 2021-2030 (<i>Стратегическа рамка за развитие на образованието, обучението и ученето в Република България 2021-2030</i>).<sup>116</sup> The document envisages means of cooperation between schools and kindergartens, national and local health bodies, educational mediators, and the local communities. Several measures are</p>	<p>No major legislative developments targeting children from minority groups took place the reporting period.</p> <p>However, some legislative amendments targeting people from vulnerable groups take into account the specifics of children from minority groups. For example, on 19 August 2020, the Ministry of Health (MH) (<i>Министерство на здравеопазването, МЗ</i>) adopted a regulation governing the activities of health.<sup>122</sup> Health mediators act as a bridge between vulnerable groups,</p>

<sup>111</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Programme for Improving Maternal and Child Health 2021-2023 (*Национална програма за подобряване на майчиното и детското здраве 2021 – 2023 г.*), 9 April 2021.

<sup>112</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (*План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030*), 9 November 2022.

<sup>116</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Strategic framework for the development of education, training and learning in the Republic of Bulgaria 2021-2030 (*Стратегическа рамка за развитие на образованието, обучението и ученето в Република България 2021-2030*), 24 February 2021.

<sup>122</sup> Bulgaria, Regulation No of 19 August 2020 on the requirements for the activity of health mediators (*Наредба № 1 от 19 август 2020 г. за изискванията за дейността на здравните медиатори*), 19 August 2020.

specifically aimed to improve the access to education of Roma children.

The National Strategy for Poverty Reduction and Promotion of Social Inclusion 2030 (*Националната стратегия за намаляване на бедността и насърчаване на социалното включване 2030*)<sup>117</sup> and its Action Plan for 2021-2022, both adopted in 2021, recognise the Roma population as a particularly vulnerable group with a share of 64.8 % living at risk of poverty. The documents address the multiple challenges faced by the Roma population and aim to provide an integrated and lifelong approach to enhance their well-being. This approach involves various measures, such as promoting employment opportunities for parents, providing family support, ensuring equitable access to quality education and healthcare, and providing assistance with housing and accommodation.

In 2022, the government approved the updated National Recovery and Resilience Plan (*Национален план за възстановяване и устойчивост*).<sup>118</sup> The plan outlines a comprehensive approach to the implementation of integration policies for ethnic minority groups, guaranteeing their rights, establishing an effective support system for vulnerable groups and promoting equal participation and non-discrimination on the grounds of ethnicity.

On 5 May 2022, the government adopted the National Strategy of the Republic of Bulgaria for Equality, Inclusion and Participation of Roma 2021-2030 (*Национална стратегия на Република България за равенство, приобщаване и участие на ромите 2021-*

including the Roma population, and public institutions and service providers in the area of healthcare.

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<sup>117</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Strategy for Poverty Reduction and Social Inclusion 2030 (*Националната стратегия за намаляване на бедността и насърчаване на социалното включване 2030*), 31 December 2021.

<sup>118</sup> For more information, see the Recovery and Resilience Plan for Bulgaria on the dedicated government [website](#).

2030)<sup>119</sup> and an Action Plan for its implementation for the period of 2022-2023.<sup>120</sup> The strategy envisages various measures aimed to better integrate the Roma population, including Roma children. The first priority of the strategy is to create conditions for quality and inclusive education, as well as educational integration and intercultural education for children and students, including vulnerable groups and Roma children. The Action Plan for implementing the strategy envisages seven measures to implement this priority. While the other priorities of the strategy do not specifically target children, there are some dedicated measures to cater to their needs. For instance, the priority on access to healthcare includes a measure to enhance the coverage of health services for children who lack General Practitioners (GPs), with the help of health mediators.

One of the main target groups of the Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (*План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030*)<sup>121</sup>, adopted by the government in 2022, are children belonging to minority groups.

#### 1.4.9. Children involved in judicial proceedings as victims or witnesses or parties

Policy developments

Legislative developments

<sup>119</sup> Bulgaria, Council of Ministers, National Strategy of the Republic of Bulgaria for Equality, Inclusion and Participation of Roma 2021-2030 (*Национална стратегия на Република България за равенство, приобщаване и участие на ромите 2021-2030*), 5 May 2022.

<sup>120</sup> Bulgaria, Council of Ministers, National Action Plan for 2022-2023 (*Национален план за действие за периода 2022-2023 г.*), 5 May 2022.

<sup>121</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (*План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030*), 9 November 2022.

<p>In the last five years there have been no policy developments related to children involved in judicial proceedings as victims, witnesses or parties.</p>	<p>In 2017, an amendment to the Criminal Procedure Code (<i>Наказателно-процесуален кодекс</i>)<sup>123</sup> provided child witnesses in criminal proceedings with the right to be questioned without getting in contact with the accused, and in specially equipped rooms.</p> <p>As of the beginning of 2018, ethic rules for working with children were made an obligatory part of the work of investigative police.<sup>124</sup></p> <p>In 2022, the government submitted a draft amendment to the Criminal Procedure Code (<i>Закон за изменение и допълнение на Наказателно-процесуалния кодекс</i>)<sup>125</sup> aimed at implementing some of the requirements of Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA. The draft law suggests new rules for the questioning of child victims and child witnesses with special protection needs. So far, due to the political instability and frequent dismissal of parliaments, the draft law has not yet been adopted.</p>
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#### 1.4.10. Children involved in judicial proceedings as suspects or accused persons

Policy developments	Legislative developments
<p>In 2022, the government adopted a Crime Prevention Strategy 2021-2030 (<i>Стратегия за превенция на престъпността 2021 – 2030 г.</i>)<sup>126</sup> The document suggests a number of measures targeting children, such as development and implementation of programmes targeting child aggression; support measures for families in financially</p>	<p>In the last five years, several unsuccessful attempts were made to reform the legal framework of criminal prosecution of children. The main step in this direction was the continued discussion on a new Diversion from Criminal Proceedings and Imposition of Educational Measures on Juveniles Act (<i>Закон за отклоняването от наказателното производство и налагане на</i></p>

<sup>123</sup> Bulgaria, Criminal Procedure Code (*Наказателно-процесуален кодекс*), 29 April 2006, last amended 5 August 2022.

<sup>124</sup> Bulgaria, Ministry of the Interior (*Министерство на вътрешните работи*) (2018), Letter No 812100 – 18573/23.10.2018 to the Center for the Study of Democracy, 23 October 2018.

<sup>125</sup> Bulgaria, National Assembly (*Народно събрание*), Draft Act amending and supplementing the Criminal Procedure Code (*Проект на Закон за изменение и допълнение на Наказателно-процесуалния кодекс*), 8 July 2022.

<sup>126</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Crime Prevention Strategy 2021-2030 (*Стратегия за превенция на престъпността 2021-2030 г.*), 5 October 2022.

vulnerable situation; support to families with members with mental and dependency issues; etc.

*възпитателни мерки за непълнолетни лица*).<sup>127</sup> The draft law was prepared in 2016 and envisaged the transformation of correctional institutions into special centers, the closure of boarding schools, and the introduction of a new system of measures for child offenders. Despite the continuing debates, the draft law was not adopted.

In 2022, the government submitted a draft amendment to the Criminal Procedure Code (*Закон за изменение и допълнение на Наказателно-процесуалния кодекс*)<sup>128</sup> aimed at implementing 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. The draft law suggests several significant legislative changes, including enhancements to regulations regarding individual assessment in cases involving accused children, rights to information and notification for holders of parental rights, audio and video recording during questioning, and medical examinations to assess the physical and mental state of the child during the proceedings. The proposed changes also aim to limit the deprivation of liberty of children, ensure prompt and thorough handling of cases, and protect the privacy of those involved in the proceedings. So far, due to the political instability and frequent dismissal of parliaments, the draft law has not yet been adopted.

In 2023, the Ministry of the Interior (Moi) (*Министерство на вътрешните работи, МВР*) amended the internal instruction governing police detention.<sup>129</sup> The amendments were adopted in

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<sup>127</sup> Bulgaria, Ministry of Justice (*Министерство на правосъдието*) (2018), Consultation Document on the Diversion from Criminal Proceedings and Imposition of Educational Measures on Children Act (*Консултационен документ относно Закон за отклоняването от наказателното производство и налагане на възпитателни мерки за непълнолетни лица*), 9 January 2018.

<sup>128</sup> Bulgaria, National Assembly (*Народно събрание*), Draft Act amending and supplementing the Criminal Procedure Code (*Проект на Закон за изменение и допълнение на Наказателно-процесуалния кодекс*), 8 July 2022.

<sup>129</sup> Bulgaria, Ministry of the Interior (*Министерство на вътрешните работи*) Instruction No 81213-78 of 24 January 2015 on the procedure for carrying out detention, the equipment of premises for hosting detainees and the order in them within the Ministry of the Interior (*Инструкция № 81213-78 от 24 януари 2015 г. за реда за осъществяване на задържане, оборудването на помещенията за настаняване на задържани лица и реда в тях в Министерството на вътрешните работи*), 3 February 2015, last amended 24 February 2023.

	<p>response to the number of ECtHR judgements against Bulgaria for violating Articles 2, 3 and 8 of the ECHR and the recently launched infringement procedure INFR(2021)2098 of the European Commission for incorrect transposition into Bulgarian law of provisions of Directive 2012/13/EU of 22 May 2012 on the right to information in criminal proceedings. Some of the new rules seek to strengthen the safeguards for the protection of children in detention by providing for mandatory notification of a holder of parental responsibility, as well as the mandatory involvement of a lawyer.</p>
1.4.11. Children at risk of harmful practices, including female genital mutilation; child /forced marriages, honour-related violence	
Policy developments	Legislative developments
In the last five years there have been no policy developments related to children at risk of harmful practices.	The only legislative development in the last five years related to children at risk of harmful practices concern child marriages. In 2019, an amendment to the Criminal Code ( <i>Наказателен кодекс</i> ) increased the penalties for forcing a child into marriage or marital cohabitation. <sup>130</sup>
1.4.12. Children whose parents are in prison/custody	
Policy developments	Legislative developments
In the last five years there have been no policy developments related to children whose parents are in prison or in custody.	In the last five years there have been no legislative developments related to children whose parents are in prison or in custody.
1.4.13. Children who drop out of compulsory education and working children under the legal age for work	
Policy developments	Legislative developments
Until 2020, Bulgaria had a comprehensive policy framework for preventing early drop out	In 2018, the government established a Mechanism for joint work of institutions on coverage, inclusion and prevention of dropout of children and students in compulsory pre-school and school age ( <i>Механизъм за съвместна работа на институциите по обхващане, включване и предотвратяване на</i>

<sup>130</sup> Bulgaria, Criminal Code (*Наказателен кодекс*), 2 April 1968, last amended 31 January 2023, Art. 177 and Art. 190.

of school consisting of a national strategy,<sup>131</sup> biannual action plans for its implementation and regular progress reports.<sup>132</sup>

In 2021, the government adopted a Strategic framework for the development of education, training and learning in the Republic of Bulgaria 2021-2030 (*Стратегическа рамка за развитие на образованието, обучението и ученето в Република България 2021-2030*).<sup>133</sup> The document explicitly notes that increasing the coverage of children and students in compulsory pre-school and school education and reducing the dropout and early school leaving rates are among the most important tasks in the field of education. The measures envisaged to achieve this task include support to parents for paying kindergarten fees, cooperation with children and parents to develop positive attitudes to education, facilitation of reintegration of dropouts into the education system, and improving interinstitutional coordination and exchange of information.

At the beginning of the school year 2022/2023, the number of children who have dropped out

*отпадането от образователната система на деца и ученици в задължителна предучилищна и училищна възраст*).<sup>137</sup> The mechanism includes joint interinstitutional coverage teams, preventive activities in kindergartens and schools, regular exchange of information, joint actions for sanctioning parents whose children do not attend school, tracking of travel and migration of children, etc. For improving interinstitutional coordination and cooperation under the mechanism, a coordination unit was set up at the Ministry of Education and Science (MES) (*Министерство на образованието и науката, МОИ*) and an information system was developed to collect and analyse relevant data.

In 2020, in response to the COVID-19 pandemic, several legislative amendments were adopted to facilitate the participation of students in remote learning and e-learning, including to the Regulation on Inclusive Education (*Наредба за приобщаващото образование*).<sup>138</sup>

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<sup>131</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Strategy to reduce the share of early school leavers 2013 – 2020 (*Стратегия за намаляване дела на преждевременно напусналите образователната система 2013 – 2020*), 30 October 2013.

<sup>132</sup> For the full list of action plans and progress reports on the implementation of the strategy, see the policy documents section on the [website](#) of the Ministry of Education and Science.

<sup>133</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Strategic framework for the development of education, training and learning in the Republic of Bulgaria 2021-2030 (*Стратегическа рамка за развитие на образованието, обучението и ученето в Република България 2021-2030*), 24 February 2021.

<sup>137</sup> Bulgaria, Decree No 100 of 8 June 2018 on the creation and functioning of a Mechanism for joint work of institutions on coverage, inclusion and prevention of dropout of children and students in compulsory pre-school and school age (*Постановление № 100 от 8 юни 2018 г. за създаване и функциониране на Механизъм за съвместна работа на институциите по обхващане, включване и предотвратяване на отпадането от образователната система на деца и ученици в задължителна предучилищна и училищна възраст*), 15 June 2018, last amended 18 October 2019.

<sup>138</sup> Bulgaria, Regulation on Inclusive Education (*Наредба за приобщаващото образование*), 20 October 2017, last amended 2 November 2021.

<p>of compulsory education was 53,464. According to the Ombudsman, the transition between the seventh and eighth grade is the point with the highest risk of dropout.<sup>134</sup></p> <p>According to a survey, conducted by the National Statistical Institute (NSI) (<i>Национален статистически институт, НСИ</i>), the share of children aged 5-14 years engaged in economic activity is more than 6 %, including 0.5 % involved in more than one such activity.<sup>135</sup></p> <p>The General Labour Inspectorate (GLI) (<i>Главна инспекция по труда, ГИТ</i>) collects data on the number of work permits issued to children below the age of 16 and between 16 and 18. For the past five years, the number of permits issued to children below the age of 16 was 504 (in 2022), 200 (in 2021), 133 (in 2020), 222 (in 2019) and 205 (in 2018). The number of permits issued to children between 16 and 18 for the same period was 11,429 (in 2022), 7,758 (in 2021), 4,526 (in 2020), 9,185 (in 2019) and 8,033 (in 2018).<sup>136</sup></p>	
<p>1.4.14. Please insert any other group of children that is not listed above, such as children with drug or alcohol addictions (<i>add rows as needed</i>)</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>The National Strategy for Combating Drugs 2020 – 2024 (<i>Национална стратегия за борба с наркотиците 2020-2024</i>)<sup>139</sup> was</p>	<p>In the last five years there have been no legislative developments related to children with drug addiction.</p>

<sup>134</sup> Bulgaria, Ombudsman of the Republic of Bulgaria (*Омбудсман на Република България*) (2023), Annual report on the activities of the Ombudsman of the Republic of Bulgaria in 2022 (*Годишен доклад за дейността на омбудсмана на Република България през 2022 г.*), 31 March 2023, p. 322.

<sup>135</sup> Markov, D., Doichinova, M. and Todorova R. (2022), *Novel approaches to generating data on hard-to-reach populations at risk of violation of their rights: Thematic report on children*, Sofia, National Statistical Institute.

<sup>136</sup> For more information on the number of work permits issued to children, see the annual and monthly statistical reports on the [website](#) of the General Labour Inspectorate.

<sup>139</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Strategy for Combating Drugs 2020 – 2024 (*Национална стратегия за борба с наркотиците 2020 – 2024 г.*), 30 July 2020.

adopted as a horizontal initiative of 14 ministries and agencies with the leading role of the Ministry of Health. It includes five areas of activities: reducing drug supply and distribution, demand reduction, use and impact of drugs on personal and public health, increasing the capacity for research and renewal of the technological equipment, and improvement of the interagency coordination and the national legislation. Children are one of the main target groups of the strategy. Some of the measures aimed at children are: developing and implementing prevention programmes for children and young people based on good European practices, reducing the spread of drugs in schools and reducing drug use among children outside school. The strategy is implemented through a National Action Plan.

In 2021, the government adopted the National Programme for Prevention of Chronic and Noncommunicable Diseases 2021-2025 (*Национална програма за превенция на хроничните и незаразни болести 2021-2025*),<sup>140</sup> which is a continuation of the previous programme implemented in the period 2014-2020. In the Programme, children are defined as one of priority target groups. The measures targeted at children are aimed at increasing the prevention of behavioural health risk factors, related to unhealthy diet, low physical activity, alcohol abuse, and smoking.

### 1.5. Contradictions, conflicts, or gaps between national legislation/policies on child protection and international / EU standards

Are there any contradictions, conflicts, or gaps between national legislation/policies on child protection and international / EU standards that have been pointed out by international bodies, national human rights institutions, ombudspersons, or civil society organisations? Please also refer to any contradictions within national and sub-national legislation.

A significant contradiction between national legislation/policy and international and European standards is observed in the field of child-friendly justice, which is also one of the priorities of the EU Strategy for the

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<sup>140</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Programme for Prevention of Chronic and Noncommunicable Diseases 2021-2025 (*Национална програма за превенция на хроничните и незаразни болести 2021-2025*), 28 July 2021.

rights of the Child. The current legislation is considered conservative and built on old and outdated principles regarding the legal situation of children in conflict with the law, especially in the part related to the educational purposes of the sanctions.

The most significant gaps concern both the criminal (or administrative) proceedings involving children and the execution of penalties. Currently, Bulgaria remains one of the few countries that have not yet fully transposed 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. In 2022, the government submitted a draft amendment to the Criminal Procedure Code (*Закон за изменение и допълнение на Наказателно-процесуалния кодекс*)<sup>141</sup> aimed at fully transposing the Directive. Still, the draft has not yet been adopted due to the political instability and the frequent dismissal of parliaments.

The need to reform the execution of penalties on children is repeatedly stressed by both the Ombudsman<sup>142</sup> and NGOs.<sup>143</sup> According to the Ombudsman, the Bulgarian juvenile justice system is constantly criticised by the UN Committee on the Rights of the Child and the Commissioner for Human Rights of the Council of Europe. In some of its judgements, the European Court of Human Rights also had the opportunity to review this issue.<sup>144</sup>

In Bulgaria, the lack of legal protection for the rights of children of same-sex parents has been frequently highlighted by NGOs. Several institutions were confronted with this issue in the last five years, but none decided in favour of the LGBTIQ+ community. As a result, children of same-sex parents remain without a clear civil status, which goes against the principle of promoting the child's best interest and affects a number of fundamental rights, including the right to non-discrimination, the freedom of movement, and the right to citizenship.<sup>145</sup>

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<sup>141</sup> Bulgaria, National Assembly (*Народно събрание*), Draft Act amending and supplementing the Criminal Procedure Code (*Проект на Закон за изменение и допълнение на Наказателно-процесуалния кодекс*), 8 July 2022.

<sup>142</sup> Bulgaria, Ombudsman of the Republic of Bulgaria (*Омбудсман на Република България*) (2019), *Presentation of the Ombudsman given at the forum Bulgarian justice for children – thirty years after the Convention on the Rights of the Child (Изказване на омбудсмана на форум „Българското правосъдие за деца – тридесет години след Конвенцията на правата на децата“)*, 28-29 November 2019.

<sup>143</sup> National Network for Children (*Национална мрежа за децата*) (2022), *Gradebook 2022: What is the average score of the State in child care? (Бележник 2022: Какъв е средният успех на държавата в грижата за децата?)*, 11 May 2022.

<sup>144</sup> European Court of Human Rights (ECtHR), *I.G.D. v. Bulgaria*, No. 70139/14, ECLI:CE:ECHR:2022:0607JUD007013914, 7 June 2022.

<sup>145</sup> For the case the best illustrates to problem of children of same-sex parents, see LGBT Youth Organization Deystvie (*Младежка ЛГБТ организация Действие*) (2022), *All news about the Baby Sara case before the Grand Chamber of the EU*, 13 June 2022.

## 1.6. Orientation/fragmentation of national child protection policy and legislation

Based on the above information please assess and explain if the national child protection policy and legislation is fragmented and if the child protection system is oriented towards prevention and/or intervention.

The current Bulgarian child protection policy and legislation can be characterised as fragmented, partly due to the failure of the parliament and the government to adopt a new national child strategy. According to NGOs, the lack of evidence-based and integrated policies and the absence of a comprehensive vision of child protection tailored to the country's demographic specifics has resulted in a piecemeal and unsatisfactory approach, leaving children at risk.<sup>146</sup> As evident from the relevant policies and legislation, there is a recognised need for an integrated approach, especially to address the needs of particularly vulnerable groups of children. Currently, the measures for protecting vulnerable children are fragmented and scattered over various policy documents and legal acts, with little to no consistency between them, particularly with respect to Roma children. This lack of legal coherence and coordination impacts the effectiveness and comprehensiveness of the measures intended to safeguard the rights and interests of these children.

While some national policy documents on child protection have certain objectives related to prevention, there is a greater emphasis on intervention in practice. The existing preventative measures are not adequately tailored to the needs of vulnerable children and often lack consistency.<sup>147</sup> Meanwhile, policymakers often prefer to resort to increasing criminal sanctions for certain practices, such as child or forced marriages, rather than addressing the underlying factors contributing to such practices.<sup>148</sup>

## 1.7. Development in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection legislation and policies in the past 8 years, incl. achievements and (persisting) gaps and challenges.

The most notable difference compared to the preceding reporting period is the absence of a national child strategy. Although several endeavours were undertaken during the reporting period to adopt such a document, they ultimately failed, notwithstanding the persistent insistence and support of the civil society

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<sup>146</sup> National Network for Children (*Национална мрежа за децата*) (2022), *Gradebook 2022: What is the average score of the State in child care? (Бележник 2022: Какъв е средният успех на държавата в грижата за децата?)*, 11 May 2022.

<sup>147</sup> National Network for Children (*Национална мрежа за децата*) (2022), *Gradebook 2022: What is the average score of the State in child care? (Бележник 2022: Какъв е средният успех на държавата в грижата за децата?)*, 11 May 2022.

<sup>148</sup> Bulgaria, Criminal Code (*Наказателен кодекс*), 2 April 1968, last amended 31 January 2023, Art. 177 and Art. 190.

sector. Without a national strategy for children, policy-making remains at risk of being fragmented, inconsistent and unrelated to an overall vision.<sup>149</sup>

Child poverty persists as one of the most pressing challenges in Bulgaria.<sup>150</sup> An achievement in this area is the adoption of the Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (*План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030*).<sup>151</sup> It steps upon the recommendations from the piloting of the Child Guarantee in Bulgaria and addresses a number of target groups, including homeless children or children living in extremely poor housing conditions; children with disabilities and children with mental health problems; refugee and migrant children, with a focus on unaccompanied children or those with a minority ethnic background; children in alternative care outside the family, especially those in residential care, including children and young people leaving alternative care; children from low-income families; and children in precarious family environments (victims of violence, children raised by single parents, underage mothers and their children, children of migrant parents, etc.).

The lack of reforms in the area of child-friendly justice remained a gap during the reporting period. The legislation concerning children in conflict with the law is outdated and conservative in nature. This is particularly valid with regard to the enforcement of sanctions, which needs to be reformed and aligned with modern rehabilitative approaches.<sup>152</sup> Although some attempts in this direction have been made, they have remained unsuccessful, and no major steps have been taken since 2019.<sup>153</sup>

The COVID-19 pandemic showed even more clearly the gaps and lack of coordination between the different actors involved in child and family support. According to the National Network for Children (NNC) (*Национална мрежа за децата*, НМД), the impact of the pandemic was most serious in several key areas. One of the main problems was the complete closure of nurseries and kindergartens, which left thousands of parents struggling to care for their young children. The abrupt transition to remote learning without adequate preparation and risk mitigation strategies for families with small children caused them many inconveniences. Parents were not offered adequate compensation for the closure of kindergartens and nurseries. This has affected many children's opportunities for care, socialisation, a safe environment, and healthy nutrition outside the home. This change particularly affected parents who combined parenting with full-time employment. The impact of the pandemic was even more severe for vulnerable children. Child

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<sup>149</sup> National Network for Children (*Национална мрежа за децата*) (2022), *Gradebook 2022: What is the average score of the State in child care? (Бележник 2022: Какъв е средният успех на държавата в грижата за децата?)*, 11 May 2022.

<sup>150</sup> Shalapatova, I. et al (2022), *Un/Equal Childhood: Deep Dive in Child Poverty and Social Exclusion in Bulgaria*, Sofia, UNICEF Bulgaria, 7 March 2022.

<sup>151</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (*План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030*), 9 November 2022.

<sup>152</sup> National Network for Children (*Национална мрежа за децата*) (2022), *Gradebook 2022: What is the average score of the State in child care? (Бележник 2022: Какъв е средният успех на държавата в грижата за децата?)*, 11 May 2022.

<sup>153</sup> National Network for Children (*Национална мрежа за децата*) (2022), *Gradebook 2022: What is the average score of the State in child care? (Бележник 2022: Какъв е средният успех на държавата в грижата за децата?)*, 11 May 2022.

health and access to healthcare were compromised, and there was a significant increase in domestic violence against children due to social isolation. Responding to and intervening in cases of child victims also became more challenging. The challenges of the pandemic, poor communication, and inconsistency of the measures taken led to considerable confusion and caused significant divisions in society, especially among parents.<sup>154</sup>

The lack of legislation on same-sex families presents a significant gap in the Bulgarian legal system, which violates the best interest of the child. This legal situation creates numerous obstacles for children of same-sex families, placing them in an unequal position with their peers. This gap breaches international and EU standards and deprives such children of several rights, including the right to seek custody from the other parent following separation, to demand child support, to inherit assets, etc.<sup>155</sup>

Another gap that remains unaddressed in Bulgarian legislation is surrogacy. It is neither legally regulated nor explicitly prohibited. As a result, surrogate motherhood is not practised openly. However, there have been cases of Bulgarian women travelling abroad to give birth as surrogate mothers in countries where surrogacy is legal and regulated by law. The absence of a legal framework regulating surrogacy raises concerns related to the potential exploitation of women and children involved in surrogacy arrangements and in view of the potential risks to the child's best interests in terms of their legal origin.<sup>156</sup>

## 1.8. Promising practices

Please list and briefly describe any promising practice in child protection legislation and policies that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

One promising practice in child protection policies in Bulgaria is the adoption of the Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (*План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030*).<sup>157</sup> The plan builds upon the recommendations from the piloting of the Child Guarantee in Bulgaria. It outlines several key target groups, including homeless or severely impoverished children, children with disabilities or mental health issues, refugee and migrant children (particularly those who are unaccompanied or from minority ethnic backgrounds), children in alternative care (especially those in residential social services), children from low-income families and children living in an unstable family environment due to violence, single parenthood, underage motherhood, or parental migration. In order to achieve its goals, the plan lays down 14 specific objectives, such as decreasing the share of children at risk

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<sup>154</sup> National Network for Children (*Национална мрежа за децата*) (2021), *Gradebook 2021: What is the average score of the State in child care? (Бележник 2021: Какъв е средният успех на държавата в грижата за децата?)*, 17 April 2021.

<sup>155</sup> Filipova, G. and Pisankaneva, M. (2017), *Rainbow Families in Bulgaria*, Sofia, Bilitis Foundation.

<sup>156</sup> Tsankova, Ts. (2018), Recognition and surrogacy: the challenges to the legal framework (*Припознаването и сурогатното майчинство – предизвикателствата пред правната уредба*), *Lex.bg*, 3 October 2018.

<sup>157</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (*План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030*), 9 November 2022.

of poverty and social exclusion, decreasing the share of single parents and households with three or more children at risk of poverty, lowering the number of school dropouts, reducing the number of children in residential care, reducing the child mortality rate, expanding the coverage of mandatory immunisations, increasing the share of children with disabilities using health, social, and integrated health and social services, etc. These objectives are tied to indicators with a baseline for 2021, an intermediate target for 2025, and a final goal to be achieved by 2030.

Another promising practice is the amendment of the Health Act (*Закон за здравето*)<sup>158</sup> after a series of reports to the Ombudsman and numerous media publications about the use of dinitrogen oxide (laughing gas) by children in Bulgaria. The amendments forbid the sale of dinitrogen oxide to children and on the territory of kindergartens, schools, student hostels, medical institutions, at sports and public events for children and students, and in indoor places, except for sales for medical purposes and the food industry.

The signing by Bulgaria of the Intergovernmental Declaration on Children, Youth and Climate Action<sup>159</sup> can also be considered a promising practice. One of the declaration's goals is to increase the participation of children and young people in reducing the effects of climate change by raising awareness and facilitating the acquisition of knowledge and skills that contribute to a safe and sustainable future.

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<sup>158</sup> Bulgaria, Act amending and supplementing the Health Act (*Закон за изменение и допълнение на Закона за здравето*), 1 August 2022.

<sup>159</sup> UNICEF (2022), 'Bulgaria signed the Declaration on Children, Youth and Climate Action' (*България подписа Декларацията за децата, младежите и действията по климата*), press release, 28 April 2022.

## 2. Governance, coordination structures, and services

### 2.1. Primary institutions and main service providers responsible for child protection

Question	Yes	No	Comments
<p>2.1.1. Is there any lead institution/body (e.g. child protection agency, ministry, etc.) primarily responsible for child protection at the national level?</p> <p><u>If yes</u>, please provide the name in the comments box.</p>	X		<p>State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>)</p> <p>The lead institution primarily responsible for child protection at the national level is the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>). According to the Child Protection Act (<i>Закон за закрила на детето</i>), the chairperson of the SACP is the specialised governmental authority responsible for the overall management, coordination and control in the area of child protection.<sup>160</sup></p>
<p>2.1.2. Are there different structures sharing the primary responsibility (e. g. departments in the same or different ministries, different agencies etc.)?</p> <p><u>If yes</u>, please provide the name under the comments box and please also mention which body has the lead in coordinating child protection policies and actions.</p>	X		<p>The Child Protection Act (<i>Закон за закрила на детето</i>) lists a number of institutions with specific responsibilities related to child protection.<sup>161</sup> However, the overall management and coordination is entrusted to the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>) and its chairperson.<sup>162</sup></p> <p>The Child Protection Act (<i>Закон за закрила на детето</i>) and the rules on its implementation establish the general framework for cooperation between the State</p>

<sup>160</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 17.

<sup>161</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 6.

<sup>162</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 17.

		<p>Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>) and the other child protection authorities. All child protection authorities listed in the law should work in coordination, cooperation and collaboration in the implementation of child protection activities.<sup>163</sup> In order to ensure an effective system of prevention and monitoring of children's rights the child protection authorities jointly with the chairperson of the SACP develop coordination mechanisms for interaction in accordance with their competences.<sup>164</sup> The chairperson of the SACP monitors the implementation of the coordination mechanisms by collecting and processing information from the other participating authorities.<sup>165</sup> Child protection authorities are also obliged to cooperate by taking concerted action in their work on specific cases for the protection of children and their families.<sup>166</sup></p> <p>The law explicitly states that child protection authorities should also cooperate in the course of implementing the national child strategy and the annual child protection programmes.<sup>167</sup> However, as of 2018, Bulgaria has no national child strategy in place, and annual child protection programmes are no longer adopted.</p>
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<sup>163</sup> Bulgaria, Rules on the Implementation of the Child Protection Act (*Правилник за прилагане на Закона за закрила на детето*), 25 July 2003, last amended 8 January 2022, Art. 5(1).

<sup>164</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 6a.

<sup>165</sup> Bulgaria, Rules on the Implementation of the Child Protection Act (*Правилник за прилагане на Закона за закрила на детето*), 25 July 2003, last amended 8 January 2022, Art. 5(3).

<sup>166</sup> Bulgaria, Rules on the Implementation of the Child Protection Act (*Правилник за прилагане на Закона за закрила на детето*), 25 July 2003, last amended 8 January 2022, Art. 5(4).

<sup>167</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 6a.

<p>2.1.3. Are there child focal points or similar in different ministries or agencies?</p> <p>If <u>yes</u>, in which ministry are they located, what are they called, and what role/functions do they have? How do they coordinate?</p>	<p><b>X</b></p>	<p>The Child Protection Act (<i>Закон за закрила на детето</i>) lists a number of institutions with specific responsibilities related to child protection.<sup>168</sup> Some of them have separate structures responsible for child-related issues. Thus, for example, the Ministry of Labour and Social Policy (MLSP) (<i>Министерство на труда и социалната политика</i>, МТСП) is responsible by law for the management, coordination and control of social support policies, social services and national adoption of children. Within the ministry, these tasks are assigned to the Social Inclusion, Children and Family Policies Unit (<i>Отдел „Политики за социално включване, децата и семейството“</i>). The Ministry of Justice (MoJ) (<i>Министерство на правосъдието</i>, МП) is responsible for international adoption and serves as the central authority on international conventions in the field of international adoption and child protection. Within the ministry, these tasks are assigned to the International Child Protection and International Adoptions Directorate (<i>Дирекция „Международна правна закрила на детето и международни осиновявания“</i>).</p>
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Please provide in the table below a list of the national/regional/local bodies or authorities having certain responsibilities related to child protection, e.g. child ombuds institution.

Please note: For the regional and the local levels please indicate only the type of body, do not list all different bodies at regional/local level in the country.

Name of the body	Level (national/regional/local).	Area of responsibility and roles in child protection <i>(for example coordination, legislation, policy making, training, monitoring, financing, implementing)</i>	Comments <i>(for example in case of ombuds institution, compliance with the Paris Principles)</i>
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<sup>168</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 6.

Ministry of Labour and Social Policy (MLSP) (Министерство на труда и социалната политика, МТСП)	National	Coordination and monitoring	The Ministry of Labour and Social Policy (MLSP) (Министерство на труда и социалната политика, МТСП) coordinates and supervises the policies in the area of social support of families and children, social services and national adoption, and for drafting legislation, strategies, programmes, action plans and reports in the field of social services, family and children. <sup>169</sup>
Ministry of the Interior (Mol) (Министерство на вътрешните работи, МВР)	National	Implementation and control	The Ministry of the Interior (Mol) (Министерство на вътрешните работи, МВР) provides police protection to children at risk, participates in the implementation and supervision of specialised child protection measures in public places, and exercises control over the crossing of children across the Bulgarian state border. <sup>170</sup>
Ministry of Education and Science (MES) (Министерство на образованието и науката, МЕС)	National	Implementation and supervision	The Ministry of Education and Science (MES) (Министерство на образованието и науката, МЕС) is responsible for ensuring the safety of children in public schools and kindergartens, preventing and addressing the problem of children not attending schools, and participating in the identification of educational needs and provision of appropriate training to children in social

<sup>169</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 6a.

<sup>170</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 6a.

			services and integrated health and social services for residential care. <sup>171</sup>
Ministry of Justice (MoJ) ( <i>Министерство на правосъдието, МП</i> )	National	Implementation and supervision	The Ministry of Justice (MoJ) ( <i>Министерство на правосъдието, МП</i> ) coordinates the activities related to international adoption, serves as the central authority on international conventions in the field of adoption and child protection, ensures the safety of convicted children in correctional institutions and children in detention, and proposes and concludes bilateral treaties under the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption. <sup>172</sup>
Ministry of Foreign Affairs (MFA) ( <i>Министерство на външните работи, МВНР</i> )	National	Implementation and international cooperation	The Ministry of Foreign Affairs (MFA) ( <i>Министерство на външните работи, МВНР</i> ) is responsible for ensuring the protection of the rights and interests of Bulgarian children abroad, participating in the development and monitoring of the implementation of Bulgaria's obligations towards other countries and international organisations in the field of children's rights, and coordinating and participating in the preparation,

<sup>171</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 6a.

<sup>172</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 6a.

			conclusion and implementation of international treaties in the field of children's rights. <sup>173</sup>
Ministry of Culture (MC) ( <i>Министерство на културата, МК</i> )	National	Implementation	The Ministry of Culture (MC) ( <i>Министерство на културата, МК</i> ) supports children with outstanding cultural gifts, implements the policy for promoting culture that supports the mental, spiritual, moral and social development of the child, and ensures the safety of children in schools and other facilities within the system of the Ministry of Culture. <sup>174</sup>
Ministry of Health (MH) ( <i>Министерство на здравеопазването, МЗ</i> )	National	Implementation	The Ministry of Health (MH) ( <i>Министерство на здравеопазването, МЗ</i> ) oversees the provision of accessible and quality health care with priority for children, pregnant women and mothers of children under one year of age, and manages and supervises the health protection activities for children. <sup>175</sup>
Ombudsman of the Republic of Bulgaria ( <i>Омбудсман на Република България</i> )	National	Monitoring	The Ombudsman is responsible by law for the protection of children's rights within the limits of

<sup>173</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 6a.

<sup>174</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 6a.

<sup>175</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 6a.

			its powers. <sup>176</sup> Within the Ombudsman’s administration, there is a separate directorate for children’s rights, which handles complaints and conducts inspections in child-related cases. The Ombudsman is also monitoring the implementation of the United Nations Convention on the Rights of the Child. As a national human rights institution (NHRI), the Ombudsman also submits alternative reports to the Committee on the Rights of the Child.
State Agency for Refugees (SAR) ( <i>Държавна агенция за бежанците, ДАБ</i> )	National	Implementation	The State Agency for Refugees (SAR) ( <i>Държавна агенция за бежанците, ДАБ</i> ) is the national authority responsible for granting international protection, including to children. The SAR is responsible by law for the reception and accommodation of children applying for international protection, <sup>177</sup> for conducting the international protection proceedings, and for authorising family reunification. <sup>178</sup>
Commission for the Child ( <i>Комисия за детето</i> )	Local	Consultation and coordination	Each municipality is obliged to establish a Commission for the Child with consultative and coordinating functions. The Commissions for the Child include representatives of the municipal

<sup>176</sup> Bulgaria, Ombudsman Act (*Закон за омбудсмана*), 23 May 2003, last amended 2 February 2023, Art. 19.

<sup>177</sup> Bulgaria, Asylum and Refugees Act (*Закон за убежището и бежанците*), 31 May 2002, last amended 26 April 2022, Art. 25a.

<sup>178</sup> Bulgaria, Asylum and Refugees Act (*Закон за убежището и бежанците*), 31 May 2002, last amended 26 April 2022, Art. 34.

			administration, the local police, education, health and social assistance authorities, non-profit legal entities and other entities involved in child protection. The Commissions for the Child coordinate all child-related policies within the municipality. <sup>179</sup>
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2.1.4. Please indicate if there were in the past five years any important changes concerning the child protection mandate/roles/responsibilities and outline what caused or influenced these changes (for example, a transfer of responsibility for child protection from one ministry to another ministry or a body or merging of responsibilities, etc. Please indicate notably if an integrated approach has been sought and/or achieved.

In the past five years, the most important change concerning child protection roles and responsibilities was the series of reforms of the National Children’s Hotline 116 111. From its establishment in 2009 until 2019, the line was operated by a civil society organisation under the supervision of the State Agency for Child Protection (SACP) (*Държавна агенция за закрила на детето*, ДАЗД). The operator was selected through an open competition procedure with predefined selection criteria. In 2020, the SACP discontinued this practice and began operating the line itself.<sup>180</sup> This change, however, did not prove to be a successful solution and the line registered a significant decrease in the number of calls (about 35 % less calls in 2021 compared to 2019).<sup>181</sup> As a consequence, in 2022, the government assigned the operation of the hotline to the Social Assistance Agency (SAA) (*Агенция за социално подпомагане*, АСП), which is subordinate to the Ministry of Labour and Social Policy (MLSP) (*Министерство на труда и социалната политика*, МТСП). At present, based on an agreement between the SAA and the SACP, the two agencies operate the hotline as a shared service,<sup>182</sup> but there are plans to assign the hotline’s management, monitoring and administration entirely to the SACP.

<sup>179</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 20a.

<sup>180</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2022), ‘SACP takes over the operation of the National Children’s Hotline 116 111’ (*‘ДАЗД поема управлението на Националната телефонна линия за деца 116 111’*), press release, 6 February 2020.

<sup>181</sup> National Network for Children (*Национална мрежа за децата*) (2022), ‘Why is the state killing the National Children’s Hotline 116 111?’ (*‘Защо държавата убива Националната телефонна линия за деца 116 111?’*), press release, 19 September 2022.

<sup>182</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2023), Report on the activities of the State Agency for Child Protection for 2022 (*Доклад за дейността на Държавната агенция за закрила на детето за 2022 г.*), 28 February 2023.

Measures were also undertaken to improve the inter-agency cooperation, particularly in relation to the prevention of child abandonment and the protection of children against violence. These measures did not affect the division of responsibilities between the authorities involved, but rather enshrined in legislation mechanisms and procedures already in place. Thus, for example, in 2019, the Child Protection Act (*Закон за закрила на детето*) was amended and special rules were added on the notification and follow-up measures in case of an identified risk of child abandonment.<sup>183</sup> Consequently, the government amended the regulation governing the measures against child abandonment bringing it in line with the new rules in the law.<sup>184</sup> The same amendment to the Child Protection Act (*Закон за закрила на детето*) adopted in 2019 introduced for the first time explicit rules governing the implementation of the coordination mechanism against violence. This mechanism was introduced in 2010, but was never before enshrined in a legal act.<sup>185</sup>

2.1.5. Please indicate, in the table below, the major service providers at national level in the area of child protection. Include family support services /measures (i.e. counselling, financial assistance) that are part of the overall social protection/welfare system for children in risk.

<b>Service providers</b>	<b>Type of services</b>	<b>Target groups</b>	<b>Funding</b>
<i>(include the name and the type of institution i.e. public authority, NGOs, religious institutions, private)</i>	<i>(Include counselling, care institutions, day care centres, financial assistance, legal advice, rehabilitation services for victims, education awareness –training activities, etc.)</i>	<i>(For example, children with disability, children in risk of or living in poverty, immigrant children, children deprived form parental care, child victims of abuse or exploitation. When relevant, please indicate if third country nationals and irregular immigrants are entitled to such services)</i>	<i>(national budget, EU funded, other)</i>

<sup>183</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 36a – 36c.

<sup>184</sup> Bulgaria, Regulation on the conditions and procedures for the implementation of measures to prevent the abandonment of children and their placement in institutions, as well as for their reintegration (*Наредба за условията и реда за осъществяване на мерки за предотвратяване изоставянето на деца и настаняването им в институции, както и за тяхната реинтеграция*), 22 August 2003, last amended 7 May 2019.

<sup>185</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 36d.

Social Assistance Agency (SAA) ( <i>Агенция за социално подпомагане</i> , АСП), public authority	Financial assistance, social assistance, counselling, protection (including placement outside the family), foster care, adoption, national children's hotline	Children deprived from parental care, child victims of violence, children at risk of poverty	National budget
National Legal Aid Bureau (NLAB) ( <i>Национално бюро за правна помощ</i> , НБПП), public authority	Legal aid, legal advice	Children at risk of poverty, children placed outside the family	National budget, EU funded projects, projects funded by other donors
Bulgarian Red Cross (BRC) ( <i>Български червен кръст</i> , БЧК), non-governmental organisation	Education, awareness, financial assistance, social assistance, integration	Children at risk of poverty, child victims of traffic incidents, migrant children	National budget, project funding, donations, fundraising campaigns, economic activity, membership fees
"Animus Association" Foundation ( <i>Фондация „Асоциация Анимус“</i> ), non-governmental organisation	Counselling, rehabilitation, education, social services, training	Child victims of violence, migrant children	Project funding
"Nadja Centre" Foundation ( <i>Фондация „Център Надя“</i> ), non-governmental organisation	Counselling, psychological support, social support, missing children hotline	Child victims of domestic violence, child victims of trafficking	National budget, project funding

Institute of Social Activities and Practices (SAPI) (Институт по социални дейности и практики, ИСП)	Counselling, care institutions, day care centres, legal advice, support services for victims, training	Children in conflict with the law, child victims of violence, abuse or exploitation, children leaving institutional care	National budget, project funding
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2.1.6. Please indicate if any child participation or feedback mechanisms are part of child protection services.

No child participation or feedback mechanisms are part of the individual child protection services. The only child participation and feedback mechanism at national level is the Children’s Council (Съвет на децата) with the State Agency for Child Protection (SACP) (Държавна агенция за закрила на детето, ДАЗД). It is not part of a specific child protection service, but serves as a general consultative body to the Chairperson of the SACP. The Children’s Council may make proposals to the public authorities and local administrations on all matters relating to children, including education, healthcare, culture, etc.<sup>186</sup> The Chairperson of the SACP is obliged to inform the authorities concerned about the proposals of the Children’s Council.<sup>187</sup> The Children’s Council consists of 33 members, with one quota per administrative district, four quotas for children from vulnerable groups and one quota for a child with granted international protection.<sup>188</sup>

<sup>186</sup> Bulgaria, Statute of the Children’s Council with the Chairperson of the State Agency for Child Protection (Устав на Съвета на децата към председателя на ДАЗД), September 2019, Art. 8.

<sup>187</sup> Bulgaria, Statute of the Children’s Council with the Chairperson of the State Agency for Child Protection (Устав на Съвета на децата към председателя на ДАЗД), September 2019, Art. 4.

<sup>188</sup> Bulgaria, Statute of the Children’s Council with the Chairperson of the State Agency for Child Protection (Устав на Съвета на децата към председателя на ДАЗД), September 2019, Art. 11.

2.2. Civil society organisations active in the area of child protection. Please consider also including information on the role of religious institutions and groups active in the area of child protection.

Question	YES	NO	Comments
<p>2.2.1. Is there a registry of civil society organisations operating in the child protection area?</p> <p><u>If yes</u>, briefly provide information on the legislative-regulatory framework and the responsible authority.</p>	X		<p>The State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>) is responsible by law to maintain a national information system on child protection. The system includes, among other data, information about civil society organisations working on child protection programmes.<sup>189</sup></p>
<p>2.2.2. Is there a legal obligation for the accrediting; licensing; registering; inspecting the activity of any type of civil society organisations, e. g. NGOs, charities, church organisations, etc. in the area of child protection?</p> <p><u>If yes</u>, which is the responsible authority? How frequent are reviews and inspections?</p>		X	<p>There is no legal obligation for accrediting, licensing, registering or inspecting the activity of civil society organisations working in the area of child protection. Until 2020, a specific licensing regime existed for organisations providing social services to children.<sup>190</sup> With the entry into force of the new Social Services Act (<i>Закон за социалните услуги</i>) in 2020, this regime has been abolished and all social service providers, including those for children, are now licensed under the same procedure.<sup>191</sup> Although, compared to adult social services, those for children usually have to meet more conditions to be licensed, the licensing and monitoring procedures are the same. The authority responsible for licensing all social service providers (except for municipalities, which are not subject to licensing) is the Quality of Social Services Agency (QSSA) (<i>Агенция за качеството на социалните услуги, АКСУ</i>).<sup>192</sup></p>
<p>2.2.3. Are there cooperation agreements/partnerships between government and the</p>		X	<p>There are no cooperation agreements between the government and the civil society in the area of child protection. The State Agency for Child Protection (SACP) (<i>Държавна агенция за</i></p>

<sup>189</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 17a.

<sup>190</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 43b – 43i.

<sup>191</sup> Bulgaria, Social Services Act (*Закон за социалните услуги*), 22 March 2019, last amended 30 December 2022.

<sup>192</sup> For more information on licensing conditions and procedures see the [website](#) of the Quality of Social Service Agency.

<p>civil society at national or local level?</p> <p><u>If yes</u>, What is the prevalence of this practice?</p> <p>Please provide <u>indicative examples</u> and information regarding the main areas covered, type of services targeted, and financial aspects of such partnerships (i.e. if done in view of accessing EU funds).</p>		<p><i>закрила на детето, ДАЗД</i>) has signed cooperation agreements only with other public authorities as well as with universities for the development of scientific, educational and promotional activities in the field of child protection and family support.<sup>193</sup></p> <p>Until 2019, the National Children’s Hotline 116 111 was operated by a civil society organisation under contract from the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>). From 2020, the line is operated solely by public authorities – initially by the SACP, then by Social Assistance Agency (SAA) (<i>Агенция за социално подпомагане, АСП</i>), and now by the two agencies together as a shared service.<sup>194</sup> There are also plans to re-assign the hotline’s management, monitoring and administration entirely to the SACP.</p>
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### 2.3. Inter-agency cooperation in the area of child protection

Question	YES	NO	Comments
<p>2.3.1. Is there <u>coordination between national, regional, or local authorities</u> in developing and implementing policies and legislation in the area of child protection?</p> <p><u>If yes</u>, how is this done? Please comment on the strengths and weaknesses.</p> <p><u>For example</u>, is this cooperation – coordination regulated by the legislative framework? Does cooperation take place ad hoc, e.g. addressing specific issues and on</p>	<p><b>X</b></p>		<p>In Bulgaria, the authorities responsible for child protection are obliged by law to develop, in cooperation with the chairperson of the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>), coordination mechanisms for interaction in accordance with their competencies in the field of child protection to ensure an effective system of prevention and monitoring of children’s rights.<sup>195</sup> The chairperson of the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>) is responsible for monitoring the implementation of the coordination mechanisms by collecting and</p>

<sup>193</sup> For all cooperation agreements signed by the State Agency for Child Protection see the [website](#) of the agency.

<sup>194</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2023), Report on the activities of the State Agency for Child Protection for 2022 (*Доклад за дейността на Държавната агенция за закрила на детето за 2022 г.*), 28 February 2023.

<sup>195</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 6(3).

specific thematic areas of interest or is it a key feature of the system?		<p>processing information from the other authorities.<sup>196</sup></p> <p>The main coordination mechanism for developing and implementing policies and legislation in the area of child protection is the National Council for Child Protection (NCCP) (<i>Национален съвет за закрила на детето</i>, НСЗД). The NCCP is responsible for, <i>inter alia</i>, proposing, discussing and coordinating the strategic priorities of the child protection policies, gives preliminary opinions on draft legislation related to children’s rights, supporting the cooperation with civil society organisations in the process of developing and implementing child protection policies, monitoring national regional and international child protection programmes, etc.<sup>197</sup> The composition of the NCCP is defined in the law and includes representatives of national authorities with responsibilities in the area of child protection, the National Association of Municipalities in the Republic of Bulgaria (NAMRB) (<i>Национално сдружение на общините в Република България</i>, НСОРБ) and up to twelve civil society organisations selected every two years through and open selection procedure.<sup>198</sup> The NCCP is chaired by the chairperson of the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето</i>, ДАЗД). It holds regular meetings at least twice a year, but can also hold extraordinary meetings at</p>
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<sup>196</sup> Bulgaria, Rules on the Implementation of the Child Protection Act (*Правилник за прилагане на Закона за закрила на детето*), 25 July 2003, last amended 8 January 2022, Art. 5(3).

<sup>197</sup> Bulgaria, Rules on the Structure, Organisation and Activities of the National Council for Child Protection (*Правилник за структурата, организацията и дейността на Националния съвет за закрила на детето*), 26 December 2006, last amended 12 July 2013, Art. 2.

<sup>198</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 18. For the selection procedure for appointing representatives of civil society organisations see Bulgaria, Rules on the Structure, Organisation and Activities of the National Council for Child Protection (*Правилник за структурата, организацията и дейността на Националния съвет за закрила на детето*), 26 December 2006, last amended 12 July 2013, Art. 8.

		<p>the request of 1/3 of its members or at the proposal of the chairperson.<sup>199</sup></p> <p>The National Council for Child Protection (NCCP) (<i>Национален съвет за закрила на детето</i>, НСЗД) is a consultative body of the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето</i>, ДАЗД). The chairperson of the agency, who is also the chairperson of the council, is responsible for the overall organisation and management of the council's activities.<sup>200</sup> The SACP is also responsible for the financial support of the council's work.<sup>201</sup></p> <p>In addition to the general coordination mechanism – the National Council for Child Protection (NCCP) (<i>Национален съвет за закрила на детето</i>, НСЗД) – there are special coordination mechanisms related to the protection of specific categories of children, such as unaccompanied Bulgarian children and child victims of trafficking returning from abroad,<sup>202</sup> children victims of violence or at risk of violence and,<sup>203</sup> unaccompanied or separated alien</p>
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<sup>199</sup> Bulgaria, Rules on the Structure, Organisation and Activities of the National Council for Child Protection (*Правилник за структурата, организацията и дейността на Националния съвет за закрила на детето*), 26 December 2006, last amended 12 July 2013, Art. 9.

<sup>200</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 17a.

<sup>201</sup> Bulgaria, Rules on the Structure, Organisation and Activities of the National Council for Child Protection (*Правилник за структурата, организацията и дейността на Националния съвет за закрила на детето*), 26 December 2006, last amended 12 July 2013, Art. 20.

<sup>202</sup> Bulgaria, Ministry of the Interior (*Министерство на вътрешните работи*), Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*), Ministry of Foreign Affairs (*Министерство на външните работи*), State Agency for Child Protection (*Държавна агенция за закрила на детето*), Social Assistance Agency (*Агенция за социално подпомагане*) (2010), Coordination Mechanism for Referral and Care of Unaccompanied Bulgarian Children and Child Victims of Trafficking Returning from Abroad (*Координационен механизъм за рефериране и обгрижване на неспридружени български деца и деца жертви на трафик, завръщащи се от чужбина*), 7 December 2010.

<sup>203</sup> Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*), Ministry of the Interior (*Министерство на вътрешните работи*), Ministry of Education, Youth and Science (*Министерство на образованието, младежта и науката*), Ministry of Justice (*Министерство на правосъдието*), Ministry of Foreign Affairs

		children, including children seeking and/or granted international or temporary protection, <sup>204</sup> and others.
2.3.2. Is there inter-agency cooperation between the relevant actors having responsibility in the area of child protection (including civil society organisations)?  <u>If yes, please mention how this is done</u> (for examples are there standing inter-agency committees or meetings, are		In Bulgaria, the authorities responsible for child protection are obliged by law to assist each other by undertaking concerted action in their work on specific cases for the protection of children and their families. <sup>205</sup>  The main coordination mechanism in the area of child protection – the National Council for Child Protection (NCCP) ( <i>Национален съвет за закрила на детето</i> , НСЗД) – can create thematic

(Министерство на външните работи), Ministry of Culture (*Министерство на културата*), Ministry of Health (*Министерство на здравеопазването*), State Agency for Child Protection (*Държавна агенция за закрила на детето*), Social Assistance Agency (*Агенция за социално подпомагане*), National Association of Municipalities in the Republic of Bulgaria (*Национално сдружение на общините в Република България*) (2010), Cooperation and Coordination Agreement on the Work of the Territorial Structures of Child Protection Authorities in Cases of Children Victims of Violence or at Risk of Violence and in Case of a Crisis Intervention (*Споразумение за сътрудничество и координиране на работата на териториалните структури на органите за закрила на детето при случаи на деца, жертви на насилие или в риск от насилие и при кризисна интервенция*), Annex 1: Obligations of the protection authorities at central and local level and the other entities involved under this Coordination Mechanism for interaction in cases of children victims or at risk of violence and for interaction in crisis intervention (*Приложение 1: Задължения на органите за закрила на централно и местно ниво и останалите ангажирани субекти по настоящия Координационен механизъм за взаимодействие при работа в случаи на деца, жертви или в риск от насилие и за взаимодействие при кризисна интервенция*), Annex 2a Multidisciplinary mechanism for interaction in case of a report of a child victim of violence or at risk of violence (*Приложение 2a: Мултидисциплинарен механизъм за взаимодействие при сигнал за дете, жертва на насилие или в риск от насилие*), Annex 2b Crisis intervention procedure (*Процедура при кризисна интервенция*), 15 March 2010.

<sup>204</sup> Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*) (2022), Coordination Mechanism for Interaction between Institutions and Organisations in Cases of Unaccompanied or Separated Alien Children on the Territory of the Republic of Bulgaria, including Children Seeking and/or Granted International or Temporary Protection (*Координационен механизъм за взаимодействие между институциите и организациите при случаи на непридружени деца или разделени от семействата си деца чужденци, намиращи се на територията на република България, включително децата, търсещи и/или получили международна или временна закрила*), 18 April 2022.

<sup>205</sup> Bulgaria, Rules on the Implementation of the Child Protection Act (*Правилник за прилагане на Закона за закрила на детето*), 25 July 2003, last amended 8 January 2022, Art. 5(3).

digital tools used?). Which actor has a leading role?		<p>working groups on specific issues.<sup>206</sup> The working groups can include experts from the institutions and organisations participating in the NCCP as well as representatives of other organisations, universities, research institutes, child organisations, etc. As of February 2023, there are five active thematic working groups including an inter-agency working group on coordination of activities and policies, an inter-agency working group on children seeking or having received international protection, and an inter-agency working group for developing a mechanism to coordinate, monitor and report on activities related to the implementation of the recommendations of the UN Committee on the Rights of the Child.<sup>207</sup> The organisational rules of the NCCP provide for representatives of children’s organisations to participate in the working groups, but this is not applied in practice. Nevertheless, the thematic working groups are seen as a good practice contributing to a more practical approach for moving policy initiatives forward.<sup>208</sup></p> <p>In terms of digital tools, the law obliges the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>) to maintain a national information system with data on children at risk and children with outstanding gifts, data from the registers maintained by the regional social assistance directorates, information about civil society organisations working on child protection programmes, data on out-of-school children, and other data relevant for child protection.<sup>209</sup></p>
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<sup>206</sup> Bulgaria, Rules on the Structure, Organisation and Activities of the National Council for Child Protection (*Правилник за структурата, организацията и дейността на Националния съвет за закрила на детето*), 26 December 2006, last amended 12 July 2013, Art. 9.

<sup>207</sup> For more information about the composition and activities of the thematic working groups of the National Council for Child Protection (NCCP) (*Национален съвет за закрила на детето, НСЗД*), see the [website](#) of the State Agency for Child Protection

<sup>208</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p. 43.

<sup>209</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 17a.

2.3.3. What are the main challenges regarding effective cooperation and coordination? (For example, lack of clarity regarding responsibilities and roles of actors, overlaps of responsibilities, and communication between organisations is not adequately structured and resourced)?

There are several challenges regarding the operation of the main coordination and cooperation mechanism – the National Council for Child Protection (NCCP) (*Национален съвет за закрила на детето*, НСЗД). The council’s operational rules do not necessarily guarantee its balanced and productive work. For instance, there are no limitations to the number of issues on the agenda, which in the past had resulted in excessive and ineffective number of issues to be considered.<sup>210</sup> There are rules allowing all members of the council, including civil society organisations, to convene meetings and suggest topics for the upcoming meetings.<sup>211</sup> However, according to civil society organisations, there are also no procedural guarantees that all participants can get their issues on the agenda, which in the past has created frustration amongst some members.<sup>212</sup>

Another issue concerns the chairmanship of the council. Many other government policy coordination councils that require coordination of horizontal policies and inclusion of a range of stakeholders are chaired by a deputy prime minister or a minister. This allows for a more effective decision-making process, as decisions carry more political clout, and participation at the political level of relevant ministries is more likely to take place.<sup>213</sup>

One structural deficiency concerns the representation of municipalities. In theory, the National Association of Municipalities in the Republic of Bulgaria (NAMRB) (*Национално сдружение на общините в Република България*, НСОРБ) should present the municipalities’ point of view, but in practice, with 265 municipalities, the NAMRB does not have a coordination mechanism or administrative capacity to consult each municipality on every point discussed in the council. Therefore, the representation of municipalities by a single person is not sufficient to represent the diversity of opinions of the variety of situations in municipalities.<sup>214</sup>

Question	YES	NO	Comments
2.3.4. Are child protection authorities engaging in <u>transnational cooperation</u> in the area of child protection, for example with regards to missing children, parental	X		Child protection authorities are occasionally engaging in transnational cooperation. Transnational cooperation takes place on a case-by-case basis without any signed cooperation agreements or protocols. Only in the area of international adoption transnational cooperation

<sup>210</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p. 43.

<sup>211</sup> Bulgaria, Rules on the Structure, Organisation and Activities of the National Council for Child Protection (*Правилник за структурата, организацията и дейността на Националния съвет за закрила на детето*), 26 December 2006, last amended 12 July 2013, Art. 9.

<sup>212</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p. 43.

<sup>213</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p. 43.

<sup>214</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p. 43.

abduction, or migrant children?		<p>takes place according to an international treaty, as Bulgaria is a party to the Hague Convention on Protection of Children and Co-operation in Respect of Inter-country Adoption. The Bulgarian Central Authority under the Hague Convention is the Ministry of Justice (MoJ) (<i>Министерство на правосъдието</i>, МП).<sup>215</sup></p> <p>The primary child protection authority, the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето</i>, ДАЗД), participates in transnational cooperation and exchanges information with the competent authorities of other countries mainly through the Bulgarian diplomatic missions.<sup>216</sup></p>
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If yes, please briefly comment and include information on transnational agreements-protocols of cooperation as well as on the interaction between child protection authorities and other actors involved in transnational cooperation processes, for example law enforcement and judicial authorities, migration authorities, social services, Central Authorities under Brussels IIbis Regulation/Hague Convention, consular or diplomatic authorities. Are there any challenges relating to transnational cooperation? Are the challenges different for cross-border cases among EU countries or with third countries?

Please provide information on main relevant agreements – cooperation schemes in two of the following areas: missing children, parental abduction, inter-country adoption, migrant children (family tracing-family reunification –return-relocation).

Child protection authorities are engaging in transnational cooperation on a case-by-case basis without any signed cooperation agreements or protocols. Transnational cooperation according to an international treaty takes place only in the area of international adoption where Bulgaria is a party to the Hague Convention on Protection of Children and Co-operation in Respect of Inter-country Adoption. The Bulgarian Central Authority under the Hague Convention is the Ministry of Justice (MoJ) (*Министерство на правосъдието*, МП).<sup>217</sup>

The primary child protection authority, the State Agency for Child Protection (SACP) (*Държавна агенция за закрила на детето*, ДАЗД), participates in transnational cooperation and exchanges information with the competent authorities of other countries mainly through the Ministry of Foreign Affairs (MFA) (*Министерство на външните работи*, МВНР) and the Bulgarian diplomatic missions in the respective countries.<sup>218</sup>

<sup>215</sup> Bulgaria, Family Code (*Семеен кодекс*), 23 June 2009, last amended 4 December 2020, Art. 112.

<sup>216</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2023), Report on the activities of the State Agency for Child Protection for 2022 (*Доклад за дейността на Държавната агенция за закрила на детето за 2022 г.*), 28 February 2023.

<sup>217</sup> Bulgaria, Family Code (*Семеен кодекс*), 23 June 2009, last amended 4 December 2020, Art. 112.

<sup>218</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2023), Report on the activities of the State Agency for Child Protection for 2022 (*Доклад за дейността на Държавната агенция за закрила на детето за 2022 г.*), 28 February 2023.

Child protection authorities participate in international cooperation also in connection with Bulgaria's membership in international organisations active in the field of child protection. Thus, for example, representatives of the State Agency for Child Protection (SACP) (*Държавна агенция за закрила на детето, ДАЗД*) are members of the Council of Europe's Steering Committee for the Rights of the Child (CDEF) and Lanzarote Committee as well as the EU Network for Children's Rights.<sup>219</sup>

With regard to the implementation of the Convention on the Rights of the Child, the main monitoring body in Bulgaria is the Ombudsman. In its annual reports, the Ombudsman provides a detailed analysis of Bulgaria's progress in implementing the recommendations of the UN Committee on the Rights of the Child.<sup>220</sup> As noted by the Ombudsman, Bulgaria has not yet established a national mechanism for the implementation of the recommendations of the Committee on the Rights of the Child and many of the recommendations remain unimplemented.<sup>221</sup>

There are no agreements or other formal cooperation schemes in the areas of missing children, parental abduction, inter-country adoption, and migrant children.

#### 2.4. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection governance, coordination structures, and services in the past 8 years, incl. achievements and (persisting) gaps and challenges

In the past eight years, the most important development in the area of child protection governance, coordination structures, and services was the reform of social services. The new Social Services Act (*Закон за социалните услуги*) significantly changed the system of social services in the country, including the social services for children.<sup>222</sup> It set the rules for the provision, use, planning, financing, quality, control and monitoring of residential and non-residential social services for children in general, children and adults at risk or overcoming the consequences of a crisis situation, people with disabilities and elderly people. The law changed the philosophy of operation of social services, introducing the principles of a personalised approach to needs, accessibility, comprehensiveness and continuity of support, and laid down the rules and procedures for exercising control and supervision. The regulation on the quality of social services, adopted to implement the new law, specifies the referral procedure for the use of social services, the preparation and update of individual needs assessments and individual

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<sup>219</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2023), Report on the activities of the State Agency for Child Protection for 2022 (*Доклад за дейността на Държавната агенция за закрила на детето за 2022 г.*), 28 February 2023.

<sup>220</sup> UN Committee on the Rights of the Child (2016), [Concluding observations on the combined 3<sup>rd</sup> to 5<sup>th</sup> periodic reports of Bulgaria \(CRC\\_C\\_BGR\\_CO\\_3-5\)](#), 21 November 2016.

<sup>221</sup> Bulgaria, Ombudsman of the Republic of Bulgaria (*Омбудсман на Република България*) (2023), Annual report on the activities of the Ombudsman of the Republic of Bulgaria in 2022 (*Годишен доклад за дейността на омбудсмана на Република България през 2022 г.*), 31 March 2023.

<sup>222</sup> Bulgaria, Social Services Act (*Закон за социалните услуги*), 22 March 2020, last amended 30 December 2022.

support plans and the mechanisms for state funding of social services.<sup>223</sup> The reform is incomplete, as a national social services map is yet to be adopted. The map will determine the maximum number of users of all social services funded by the state budget. The criteria for determining the services and the maximum number of users are defined in a regulation on the planning of social services, which takes into account the number and demographic profile of the population.<sup>224</sup> Until the adoption of the map, state funding is available only to the social services envisaged in a special government decree.<sup>225</sup>

Overall, one of the main persisting challenges related to child protection governance and coordination is the insufficient human resources at the disposal of the State Agency for Child Protection (SACP) (*Държавна агенция за закрила на детето, ДАЗД*), which hampers the effective implementation of its functions.

Another persisting problem is the continuing lack of clarity on the cross-sectorial nature of the child protection system, its main components and functions. This has also contributed to a lack of clarity amongst public authorities on their responsibilities vis-à-vis the coordination of policies, care and protection, the provision of care and social services and providing protection measures and safeguarding children's rights.<sup>226</sup> Furthermore, policy coordination taking place through the National Council for Child Protection (NCCP) (*Национален съвет за закрила на детето, НСЗД*) lacks sufficient involvement of municipalities despite their growing role in the area of child protection.<sup>227</sup>

According to NGOs, in the past ten years, the Bulgarian child protection system marked a regress resulting in an increased inability to respond to and support children in distress.<sup>228</sup> This situation continues to affect the effectiveness of public policies and measures, limiting the efforts of state institutions to crisis responses and isolated measures with very limited results. Despite the repeated recommendations of the UN Committee on the Rights of the Child, Bulgaria continues to lack a body with real powers to coordinate and monitor state policy on children's rights.<sup>229</sup> There is no mandatory

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<sup>223</sup> Bulgaria, Regulation on the Quality of Social Services (*Наредба за качеството на социалните услуги*), 28 June 2022, last amended 1 July 2022.

<sup>224</sup> Bulgaria, Regulation on the Planning of Social Services (*Наредба за планирането на социалните услуги*), 9 April 2021.

<sup>225</sup> Bulgaria, Social Services Act (*Закон за социалните услуги*), 22 March 2020, last amended 30 December 2022; Bulgaria, Council of Ministers Decision No 280 for adopting the standards for state-delegated activities with physical and value indicators in 2023 (*ПМС № 280 от 05.05.2022 г. за приемане на стандарти за делегираните от държавата дейности с натурални и стойностни показатели през 2023 г.*), 5 May 2022.

<sup>226</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021.

<sup>227</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021.

<sup>228</sup> National Network for Children (*Национална мрежа за децата*) (2022), *Gradebook 2022: What is the average score of the State in child care? (Бележник 2022: Какъв е средният успех на държавата в грижата за децата?)*, 11 May 2022.

<sup>229</sup> National Network for Children (*Национална мрежа за децата*) (2022), *Gradebook 2022: What is the average score of the State in child care? (Бележник 2022: Какъв е средният успех на държавата в грижата за децата?)*, 11 May 2022.

requirement to assess the impact on children of legal and policy decisions. Twenty years after its establishment, the State Agency for Child Protection (SACP) (*Държавна агенция за закрила на детето*, ДАЗД) has a “symbolic rather than a functional significance”. Citizens still do not distinguish between the different structures in the child protection system. The effective functioning of the SACP has been continuously hampered by its de facto dependence on the Ministry of Labour and Social Policy (MLSP) (*Министерство на труда и социалната политика*, МТСП) through budgetary subordination and the appropriation of some of its functions by the Social Assistance Agency (SAA) (*Агенция за социално подпомагане*, АСП).<sup>230</sup>

## 2.5. Promising practices

Please list and briefly describe any promising practice in governance, coordination structures, and services that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

A promising practice in the governance and coordination of child protection is the establishment of the Children’s Council (*Съвет на децата*) with the State Agency for Child Protection (SACP) (*Държавна агенция за закрила на детето*, ДАЗД) as a child participation and feedback mechanism at national level. The Children’s Council was established in 2019 as a general consultative body to the Chairperson of the SACP and consists of 33 members, with one quota per administrative district, four quotas for children from vulnerable groups and one quota for a child with granted international protection.<sup>231</sup> Its tasks include making proposals to the public authorities and local administrations on all matters relating to children, including education, healthcare, culture, etc., providing moral and logistical support to children when their personal dignity and rights are violated, assisting children in implementing ideas and projects aimed at improving children's well-being, providing input into the design and implementation of strategies, policies and programmes for the protection and development of children, undertaking and facilitating initiatives to promote children's rights, etc.<sup>232</sup> The Chairperson of the SACP is obliged to inform the authorities concerned about the proposals of the Children’s Council.<sup>233</sup>

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<sup>230</sup> National Network for Children (*Национална мрежа за децата*) (2022), *Gradebook 2022: What is the average score of the State in child care? (Бележник 2022: Какъв е средният успех на държавата в грижата за децата?)*, 11 May 2022.

<sup>231</sup> Bulgaria, Statute of the Children’s Council with the Chairperson of the State Agency for Child Protection (*Устав на Съвета на децата към председателя на ДАЗД*), September 2019, Art. 11.

<sup>232</sup> Bulgaria, Statute of the Children’s Council with the Chairperson of the State Agency for Child Protection (*Устав на Съвета на децата към председателя на ДАЗД*), September 2019, Art. 8.

<sup>233</sup> Bulgaria, Statute of the Children’s Council with the Chairperson of the State Agency for Child Protection (*Устав на Съвета на децата към председателя на ДАЗД*), September 2019, Art. 4. For the current composition of the Children’s Council, see the [website](#) of the State Agency for Child Protection.



### 3. Capacities (human and financial resources)

#### 3.1. Information on budget allocation and funding

Question	YES	NO	Comments
3.1.1. Is budget allocation on child protection incorporated into legislative and policy instruments?		X	<p>Pursuant to the Child Protection Act (<i>Закон за закрила на детето</i>), child protection activities are financed by the a) state budget; b) municipal budgets; c) national and international programmes and agreements in the sphere of child protection; d) grants by local and international donors; e) Social Protection Fund (<i>Фонд „Социална закрила“</i>); and f) other sources.<sup>234</sup></p> <p>In Bulgaria, the national budget does not have separate budget lines on child protection policies. The budget allocated to individual state bodies is broken down by policy areas none of which is defined as child protection/welfare.<sup>235</sup> The government sets the structure of the budget every year by a decision.<sup>236</sup></p> <p>The national policy documents refer to the national budget or the budget of the respective line ministries as source of funding of the child protection measures envisaged in them without providing concrete estimates.<sup>237</sup></p> <p>According to the Public Finances Act (<i>Закон за публичните финанси</i>), the national budget has three components, each adopted as a separate law: state budget, state social security budget and national health insurance fund budget. Due to the national political crisis and the inability of</p>

<sup>234</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 44.

<sup>235</sup> Bulgaria, 2022 State Budget of the Republic of Bulgaria Act (*Закон за държавния бюджет на Република България за 2022 г.*), 4 March 2022.

<sup>236</sup> Bulgaria, Public Finances Act (*Закон за публичните финанси*), 15 February 2013, Art. 18.

<sup>237</sup> For example, see Bulgaria, Council of Ministers (*Министерски съвет*) (2022), Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (*План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030*), 9 November 2022.

			the parliament to adopt the budget for 2023, <sup>238</sup> the budget for 2022 was extended and will apply until a new one is voted. <sup>239</sup>
3.1.2. Is the budget allocated to child protection (alternatively on children’s rights or on social welfare) clearly specified in the annual national budget? Please refer to the specific budget item allocated to this in 2022?		X	<p>In the national budget, the budget allocated to child protection is not clearly specified.</p> <p>In terms of social welfare in general, in 2022, the budget of the Ministry of Labour and Social Policy (MLSP) (<i>Министерство на труда и социалната политика</i>, МТСП) included a separate budget line for policies on “social assistance and equality between men and women”, “disability policies”, “social inclusion policies” and “living standards, demographic development and social investment”.<sup>240</sup></p> <p>The support for growing a child of up to two years is part of the budget of the National Social Security Institute (NSSI) (<i>Национален осигурителен институт</i>, НОИ), as it is bound to the labour rights of the mother (or other caregivers).</p>
3.1.3. What percentage of the total state budget was allocated to child protection in the last five years? If data is not available, please provide information on the budget allocated to social protection/social welfare in general.			
There is no available data on the share of the national budget allocated to child protection. According to estimates by NGOs, the total budget for children and families increased from almost BGN 4 billion (approximately €2 billion or 4.1 % of the country’s GDP) in 2017 to BGN 6.7 billion (approximately €3.35			

<sup>238</sup> Since mid-2021, Bulgaria cannot form a stable regular government after a series of parliamentary elections. The caretaker government appointed by the President decided to extend the budget for 2022 instead of proposing a new one for 2023. For more information, see Rizova, D. (2022), ‘The caretaker cabinet will not table a draft budget for 2023’ (*‘Служебният кабинет няма да внесе проектобюджет за 2023 г.’*), 25 October 2022.

<sup>239</sup> Bulgaria, Act on the Implementation of Provisions of the 2022 State Budget Act, the 2022 Budget of the State Social Security Act and the 2022 Budget of the National Health Insurance Fund Act (*Закон за прилагане на разпоредби на Закона за държавния бюджет на Република България за 2022 г., Закона за бюджета на държавното обществено осигуряване за 2022 г. и Закона за бюджета на Националната здравноосигурителна каса за 2022 г.*), 23 December 2022.

<sup>240</sup> Bulgaria, 2022 State Budget of the Republic of Bulgaria Act (*Закон за държавния бюджет на Република България за 2022 г.*), 4 March 2022, Art. 14.

billion or 4.7 % of GDP) in 2021.<sup>241</sup> The estimates are based on the public funds for children in three areas: education, healthcare and social assistance.<sup>242</sup>

The budget of the Ministry of Labour and Social Policy (MLSP) (*Министерство на труда и социалната политика*, МТСП) provides aggregated data on the total amount of social transfers. Since 2017, this amount has increased as follows:<sup>243</sup>

- 2018: BGN 919,566,738 (approximately €459,783,369), or approximately 3.8 % of the total state budget
- 2019: BGN 1,129,332,049 (approximately €564,666,024), or approximately 4.3 % of the total state budget
- 2020: BGN 1,189,150,020 (approximately €594,575,010), or approximately 4.2 % of the total state budget
- 2021: BGN 1,339,373,320 (approximately €669,686,660), or approximately 4.1 % of the total state budget
- 2022: BGN 1,871,412,372 (approximately €935,706,186), or approximately 4.8 % of the total state budget

The state budget allocates funds for education, social services for children, and children's and school-based healthcare to the budgets of municipalities on the basis of the standards for the state-delegated activities, determined annually by the government. For the last five years, their amounts are as follows:<sup>244</sup>

- 2018: BGN 2,238,464,000 (approximately €1,119,232,000), or approximately 9.3 % of the total state budget

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<sup>241</sup> National Network for Children (*Национална мрежа за децата*) (2021), *Financial investments in children of the Bulgarian State (Финансови инвестиции на българската държава в децата)*, Sofia, National Network for Children, 1 May 2021.

<sup>242</sup> UNICEF (2022), *A situation analysis on public finance management and children in Bulgaria*, Sofia, UNICEF Bulgaria, 21 March 2022.

<sup>243</sup> Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*) (2023), Letter No 39-56 to the Center for the Study of Democracy, 6 March 2023. The indicated value as a share of the state budget is based on own calculations and is calculated as a percentage of the total expenditure in the state budget excluding the state social insurance budget and the budget of the National Health Insurance Fund, which are adopted by separate laws.

<sup>244</sup> Bulgaria, Ministry of Finance (*Министерство на финансите*) (2023) Letter No 74-00-7 to the Center for the Study of Democracy, 16 March 2023. The indicated value as a share of the state budget is based on own calculations and is calculated as a percentage of the total expenditure in the state budget excluding the state social insurance budget and the budget of the National Health Insurance Fund, which are adopted by separate laws.

- 2019: BGN: 2,626,391,500 (approximately €1,313,195,750), or approximately 10.1 % of the total state budget
- 2020: BGN: 2,996,212,800 (approximately €1,498,106,400), or approximately 10.7 % of the total state budget
- 2021: BGN 3,442,608,400 (approximately €1,721,304,200), or approximately 10.6 % of the total state budget
- 2022: BGN: 4,035,970,600 (approximately €2,017,985,300), or approximately 10.3 % of the total state budget

Question	YES	NO	Comments
<p>3.1.4. Is the existing budget and funding of child protection services/institutions considered sufficient <u>and</u> sustainable (as compared to only project based for a limited period of time)?</p> <p><i>(Please consider available studies, reports at national level conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as the concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>		X	<p>The budget of child protection services/institutions is considered relatively sustainable yet generally insufficient. The social services for children, as well as schools and kindergartens, are subsidised based on standards that estimate the average amount needed for providing the service to one child.<sup>245</sup> However, funds from the national budget are available only for activities laid down in the Social Services Act (<i>Закон за социалните услуги</i>) and the regulation on financing pre-school and school education.<sup>246</sup> All other services are project-based. In certain areas, where needs differ from legislation, services remain underfunded. This is the case, for example, with the services concerning children with disabilities.<sup>247</sup> NGOs also point out the insufficient resources for inclusive education for children with disabilities.<sup>248</sup> Studies also suggest</p>

<sup>245</sup> National Network for Children (*Национална мрежа за децата*) (2021), *Financial investments in children of the Bulgarian State (Финансови инвестиции на българската държава в децата)*, Sofia, National Network for Children, 1 May 2021, p. 15.

<sup>246</sup> Bulgaria, Regulation on the financing of institutions in the pre-school and school education system (*Наредба за финансирането на институциите в системата на предучилищното и училищното образование*), 15 September 2017.

<sup>247</sup> Committee on the Rights of Persons with Disabilities (2018), *Concluding observations on the initial report of Bulgaria*, 22 October 2018, p. 7 (46).

<sup>248</sup> Bulgarian Helsinki Committee (*Български хелзинкски комитет*) (2021), *Submission of the Bulgarian Helsinki Committee to the United Nations Committee on the Rights of the Child about List of Issues Prior to Reporting concerning the Sixth and Seventh Periodic Report of Bulgaria*, February 2021, p. 17.

		<p>that the state subsidy, particularly the one for residential social services for children, is sufficient to cover only basic needs while the funding of all additional activities has to be project-based.<sup>249</sup></p> <p>The financial assistance for families of children in risk is not sufficient to prevent their placement outside the family.<sup>250</sup> NGOs also increasingly report on family separations due to poverty.<sup>251</sup></p> <p>In addition, Bulgaria has the largest share of out-of-pocket payments in total healthcare expenditure in the EU (46.5 % in 2017) suggesting poorer quality of healthcare for pregnant women and families with children with lower incomes. This is confirmed by EU SILC data on children with unmet medical needs.<sup>252</sup></p>
<p>3.1.5. Do EU funds play a substantial role in the funding of the national child protection system and/or related policies?</p> <p>Please provide information on the child protection areas and related services incl. providers that use EU funds (including what type of funds for which period of time).</p>	X	<p>EU funds and the national budget are the two main sources of funding for the national child protection policies.</p> <p>There is no available data on the total amount of EU funds spent on child protection as there is no policy document bringing together the relevant policies in this area. More detailed information is available only on the EU funds allocated to support the deinstitutionalisation process in Bulgaria.<sup>253</sup></p>

<sup>249</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, Annex 1: Case description and analysis, p. 8.

<sup>250</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, Annex 1: Case description and analysis, p. 34.

<sup>251</sup> Know-how Centre for Alternative Care (*Ню-хау център за алтернативни грижи*) (2022), *Institutional attitudes towards poverty in Bulgaria: the case of alternative care for children (Институционалното отношение към бедността в България: случаят с алтернативната грижа за деца)*, 19 October 2022.

<sup>252</sup> UNICEF (2022), *A situation analysis on public finance management and children in Bulgaria*, Sofia, UNICEF Bulgaria, 21 March 2022, p. 16.

<sup>253</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Updated Action Plan for the Implementation of the National Strategy "Vision for the Deinstitutionalisation of Children in the Republic of Bulgaria" (*Актуализиран план за действие за изпълнение на Националната стратегия*

		<p>- Operational Programme “Regions in Growth” (Оперативна програма „Региони в растеж”) 2014-2020: BGN 57,095,000 (approximately €28,547,000) for construction, renovation, reconstruction, furnishing and equipment of social services and integrated health and social services.</p> <p>- Operational Programme “Human Resources Development” (Оперативна програма „Развитие на човешките ресурси”) 2014-2020: BGN 194,175,060 (approximately €97,087,530) for implementation of deinstitutionalisation (closure of institutions, launch of replacing services, etc.). For example, in the framework of the project “Accept me 2015” (Приеми ме 2015) worth BGN 51.6 million (approximately €25.8 million), EU funds were the major source for funding foster care between 2017 and 2020. From 2021 onwards, foster care is funded by the national budget.<sup>254</sup></p> <p>- Operational Programme “Science, Education and Intelligent Growth (Оперативна програма „Наука, образование и интелигентен растеж”): BGN 67,000,000 (approximately €33,500,000) for including vulnerable children in education.</p> <p>The National Child Guarantee action plan lists several EU-funded programmes as sources of funding for the measures to be implemented by 2030: Education Programme (BGN 198,829,711); Human Resources Development Programme (BGN 81,281,936); Regional Development Programme (BGN 897,517,472); Food and Basic Material Assistance 2021 – 2027 Programme (BGN 13,140,000); Asylum, Migration and Integration Fund 2021-2027; and Bulgaria's Recovery and Resilience Plan.<sup>255</sup></p>
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„Визия за деинституционализацията на децата в Република България“), 13 October 2016, pp. 48-49 (estimated amounts).

<sup>254</sup> Bulgaria, Ministry of Labour and Social Policy (Министерство на труда и социалната политика) (2023), Letter No 39-56 to the Center for the Study of Democracy, 6 March 2023.

<sup>255</sup> Bulgaria, Council of Ministers (Министерски съвет) (2022), Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (План за

			<p>The National Recovery and Resilience Plan does not allocate funds specifically to child protection. Instead, it includes a component “Social inclusion” aiming to promote social inclusion of vulnerable people (including children). The investments under this component include reforms in the field of minimum income, social services, long-term care, modernisation of the Social Assistance Agency (SAA) (<i>Агенция за социално подпомагане, АСП</i>), and development of the creative and cultural sectors.<sup>256</sup> Some of the projects under this component are specifically targeted at children. There are, for example, the projects “Creating school STEM environment” with an indicative value of BGN 552,337,500 (approximately €276,168,750), “Modernisation of educational institutions for a more attractive and quality environment for learning and innovation” worth BGN 604,597,000 (approximately €302,298,500), and “Establishment of personal development centres for students and youth in support of sustainable rehabilitation of municipalities” with an indicative value of BGN 60,000,000 (approximately €30,000,000).<sup>257</sup></p>
<p>3.1.6. Has there been any reported misuse of any of the available funding in the area of child protection?</p> <p><u>If yes</u>, please describe briefly (and include a reference to the study/report or similar) and explain whether the responsible authorities,</p>	X		<p>Media often report on cases of misuse of social allowances for children by parents who do not meet the eligibility criteria.<sup>258</sup></p> <p>The use of child protection funds for political purposes is also reported, particularly at the local level, e.g., politically-motivated appointments in the locally-managed social</p>

*действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030*), 9 November 2022, p. 12.

<sup>256</sup> Bulgaria, Council of Ministers (*Министерски съвет*) (2022), National Recovery and Resilience Plan of the Republic of Bulgaria (*Национален план за възстановяване и устойчивост на Република България*), 6 April 2022, p. 221.

<sup>257</sup> Bulgaria, Council of Ministers (*Министерски съвет*) (2022), National Recovery and Resilience Plan of the Republic of Bulgaria (*Национален план за възстановяване и устойчивост на Република България*), 6 April 2022.

<sup>258</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021.

<p>organisations, etc. have taken appropriate measures to prevent this in the future?</p> <p><i>(Please consider available studies, reports at national level conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as the concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>			<p>services and related misuse of the respective funding.<sup>259</sup></p> <p>There are no recognisable government initiatives to remedy the misuse of funds described above.</p>
<p>3.1.7. Is corporate social responsibility developed at national level in relation to child protection services?</p> <p><u>If yes</u>, please provide information on major child protection national programmes and actions that are primarily funded by the private sector or by public-private schemes/ synergies.</p>		<p>X</p>	<p>Bulgaria has a Strategy on the Corporate Social Responsibility 2019-2023 (<i>Стратегия за Корпоративна социална отговорност 2019-2023</i>). However, neither the strategy nor the plans for its implementation envisage any measures related to child protection.<sup>260</sup> According to a 2020 survey, only 19 % of large Bulgarian employers see children’s rights as a business opportunity. This makes children’s rights, together with human rights (20 %), the topics least associated with business opportunities.<sup>261</sup></p>
<p>3.1.8. Has the involvement of the private sector in child protection recently significantly increased? Are there projects or programmes receiving governmental funding which outsource protection services for children? Please include civil society organisations and private companies contracted</p>		<p>X</p>	<p>The private sector is involved in government-funded child protection mainly as a stakeholder in policy development consultations, and as a subcontractor (or party in a public-private partnership) of municipalities in their role as social service providers.<sup>262</sup> Despite no estimations are available with regards to social</p>

<sup>259</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021.

<sup>260</sup> Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*) (2019), *Strategy on Corporate Social Responsibility 2019-2023 (Стратегия за корпоративна социална отговорност 2019 - 2023 г.)*, 28 August 2019.

<sup>261</sup> CSR Advice Box (2021), *State of CSR in Bulgaria: Annual review 2020*, p. 21.

<sup>262</sup> Bulgaria, Social Services Act (*Закон за социалните услуги*), 22 March 2019, last amended 30 December 2022, Section II.

<p>by government/local authorities to provide services.</p> <p>If <u>yes</u>, please explain the changes and the reasons hereof. Please provide information on the legal provisions regulating this and on the main services / groups of children that are covered. Provide information based on indicative examples.</p>			<p>services for children,<sup>263</sup> the overall share of private social service providers in 2021 stood at 17 % at national level ranging from 20 % in villages to 9 % in smaller towns.<sup>264</sup></p>
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### 3.2. Information on human resources, qualification requirements, and training

Question	YES	NO	Comments
<p>3.2.1. Are the allocated human resources in the area of child protection at all levels sufficient? (services, institutions etc.)?</p> <p><i>(Please consider available studies, reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>		<p>X</p>	<p>According to the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>), the allocated human resources are insufficient to enable the agency to effectively carry out the multiple functions assigned to it by the child protection legislation.</p> <p>Although one of the central child protection bodies, the Social Assistance Agency (SAA) (<i>Агенция за социално подпомагане, АСП</i>), has national coverage, it has a high level of staff turnover that often results in lack of personnel, especially in smaller municipalities.<sup>265</sup> Territorial distribution also shows inequalities in the number of social workers.<sup>266</sup> Low remuneration, lack of career development opportunities and high workload are the main reasons for the</p>

<sup>263</sup> Bulgaria, Social Assistance Agency (*Агенция за социално подпомагане*) (2023) Letter No 63-00-0023 to the Center for the Study of Democracy, 2 March 2023.

<sup>264</sup> Bulgaria, Quality of Social Services Agency (*Агенция за качеството на социалните услуги*) (2022), Annual analysis of the status and effectiveness of social services in 2021 (*Годишен анализ за състоянието и ефективността на социалните услуги през 2021 г.*), 5 August 2022, p. 21.

<sup>265</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, pp. 101-120.

<sup>266</sup> UNICEF (2020), *Mapping of the Social Service and Allied Workforces in Bulgaria: Final Report*, 30 June 2020.

			<p>insufficient number of social workers.<sup>267</sup> The average number of cases per social worker at child protection units of SAA's local directorates decreased from 40 in 2017 to 33 in 2022.<sup>268</sup> Still, the numbers at the local level range significantly from the lowest (10 cases in the village of Kirkovo) to the highest (232 cases in Yambol).<sup>269</sup></p> <p>Regarding social services staff, the Quality of Social Services Agency (QSSA) (<i>Агенция за качеството на социалните услуги, АКСС</i>) concludes that the low remuneration and the high staff turnover “prevents the system from functioning properly”.<sup>270</sup></p> <p>In addition, in the area of education, reports often point out the lack of support staff such as speech therapists, educational mediators, psychologists, social workers and resource teachers. Although the number of such staff increased by some 60 % between 2017-2018 and 2019-2020 school years, it is still considered insufficient.<sup>271</sup></p>
3.2.2. Are the allocated human resources competent in the area of child protection and appropriately trained?		X	<p>The minimum level of education required for the job of social worker within the Social Assistance Agency (SAA) (<i>Агенция за социално подпомагане, АСП</i>) is secondary education.<sup>272</sup></p>

<sup>267</sup> UNICEF (2020), *Mapping of the Social Service and Allied Workforces in Bulgaria: Final Report*, 30 June 2020, p. 66.

<sup>268</sup> Bulgaria, Social Assistance Agency (*Агенция за социално подпомагане*) (2023), Letter No 63-00-0023 to the Center for the Study of Democracy, 2 March 2023.

<sup>269</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, pp. 101-120.

<sup>270</sup> Bulgaria, Quality of Social Services Agency (*Агенция за качеството на социалните услуги*) (2022), Annual analysis of the status and effectiveness of social services in 2021 (*Годишен анализ за състоянието и ефективността на социалните услуги през 2021 г.*), 5 August 2022, p. 106.

<sup>271</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p. 38.

<sup>272</sup> Bulgaria, Regulation No RD-07-6 of 10 October 2012 on Career Development of Social Workers in the Social Assistance Agency (*Наредба № РД-07-6 от 10 октомври 2012 г. за кариерно развитие на социалните работници в Агенцията за социално подпомагане*), 1 January 2013, Art. 9.

<p><i>(Please consider available studies, reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>		<p>Neither the internal rules of the SAA,<sup>273</sup> nor the career development regulation<sup>274</sup> require preliminary training on children’s rights of the agency’s staff. Less than a third of the SAA’s social workers have the university degree in social activities. Some small towns and villages report to experience difficulties in recruiting staff with higher than secondary education.<sup>275</sup> Despite the formal requirement of initial training laid down in the career development regulation<sup>276</sup> and the availability of six qualification programmes on child protection,<sup>277</sup> survey results show that some 55 % of the social workers with secondary education have not undergone any initial training.<sup>278</sup> Research based on interviews suggests that the initial training requirement is not adequately resourced and there is no consistency in its implementation. As a result, newly recruited social workers may not be able to enrol for appropriate training for several months after recruitment.<sup>279</sup> In addition, the SAA jointly with the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>), has developed methodological guidelines for social workers which are permanently at the disposal of social</p>
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<sup>273</sup> Bulgaria, Social Assistance Agency (2021), Internal rules for the organization of administrative services in the Social Assistance Agency (*Вътрешни правила за организацията на административното обслужване в Агенцията за социално подпомагане*), 2021.

<sup>274</sup> Bulgaria, Regulation No RD-07-6 of 10 October 2012 on Career Development of Social Workers in the Social Assistance Agency (*Наредба № РД-07-6 от 10 октомври 2012 г. за кариерно развитие на социалните работници в Агенцията за социално подпомагане*), 1 January 2013.

<sup>275</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p. 102.

<sup>276</sup> Bulgaria, Regulation No RD-07-6 of 10 October 2012 on Career Development of Social Workers in the Social Assistance Agency (*Наредба № РД-07-6 от 10 октомври 2012 г. за кариерно развитие на социалните работници в Агенцията за социално подпомагане*), 1 January 2013.

<sup>277</sup> Bulgaria, Social Assistance Agency (*Агенция за социално подпомагане*) (2023) Letter No 63-00-0023 to the Center for the Study of Democracy, 2 March 2023.

<sup>278</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p. 106.

<sup>279</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p. 106.

		<p>workers.<sup>280</sup> The SAA also uses the mentoring model to compensate for insufficient training with heads of units coupling newly recruited social workers with more experienced colleagues who share their experience in the work process.<sup>281</sup></p> <p>The state-funded social services for children are responsible for hiring enough and sufficiently qualified personnel, securing their continuous qualification and professional consulting. They should meet a list of standards that are specific for each type of service and are defined in an annex to the Regulation on the Quality of Social Services (<i>Наредба за качеството на социалните услуги</i>).<sup>282</sup> According to these standards, social service providers should “ensure the highest possible quality of human resources necessary for the effective delivery of the service, in accordance with its specific characteristics”. To meet this requirement, service providers develop relevant job descriptions and commit to hire staff possessing the following skills: to work with children and families; to work with people from vulnerable groups; crisis management; communications skills, etc. There is no requirement to prove such skills in advance. Each provider should secure initial professional training of at least 36 academic hours and annual training of at least 24 hours for specialised staff and 12 hours for non-specialised staff. Social service staff should also have knowledge on the regulatory framework of social services and child protection, as well as with the Code of Ethics for Individuals Working with Children (<i>Етичен</i></p>
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<sup>280</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*), Social Assistance Agency (*Агенция за социално подпомагане*), Methodology for case management for the protection of a child at risk by Child Protection Units (*Методика за управление на случай за закрила на дете в риск от отдел „Закрила на детето“*), 27 April 2021.

<sup>281</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*), Social Assistance Agency (*Агенция за социално подпомагане*), Methodology for case management for the protection of a child at risk by Child Protection Units (*Методика за управление на случай за закрила на дете в риск от отдел „Закрила на детето“*), 27 April 2021, p. 7.

<sup>282</sup> Bulgaria, Regulation on the Quality of Social Services (*Наредба за качеството на социалните услуги*), 28 June 2022, last amended 1 July 2022.

			<p>кодекс на работещите с деца)<sup>283</sup> and the Code of Ethics for Employees Involved in the Provision of Social Services (<i>Етичен кодекс на служителите, осъществяващи дейности по предоставяне на социални услуги</i>).<sup>284</sup> The methodological guide for hiring social service staff states that “[t]he type of education, degree and qualification when selecting and engaging [name of service] staff is not a clear determinant of their selection”. There is no data on the effect of this regulation on the sufficiency of personnel training in social services. According to official data on all types of social services (children and adults), the highest number of training activities are conducted for service managers, followed by follow-up trainings. The least conducted training activities are the initial training activities of newly-hired staff.<sup>285</sup></p>
<p>3.2.3. Is there a <u>compulsory certification or licencing</u> process for social workers and other professionals who work for child protection?</p> <p>If <u>yes</u>, briefly describe the process.</p>		X	<p>The criteria for hiring child protection workers are different for the staff of the Social Assistance Agency (SAA) (<i>Агенция за социално подпомагане, АСП</i>) and the staff of social services.</p> <p>At the SAA’s social protection units, there are three categories of social workers: social workers, for whom the required minimum level of education is secondary education, senior social workers and chief social workers, who should have at least a bachelor’s degree (with no specifically required major).<sup>286</sup></p>

<sup>283</sup> Bulgaria, National Child Protection Council (*Национален съвет за закрила на детето*) (2003), Code of Ethics for individuals working with children (*Етичен кодекс на работещите с деца*).

<sup>284</sup> Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*) (2021), Code of Ethics for employees involved in the provision of social services (*Етичен кодекс на служителите, осъществяващи дейности по предоставяне на социални услуги*), 28 May 2021.

<sup>285</sup> Bulgaria, Quality of Social Services Agency (*Агенция за качеството на социалните услуги*) (2022), Annual analysis of the status and effectiveness of social services in 2021 (*Годишен анализ за състоянието и ефективността на социалните услуги през 2021 г.*), 5 August 2022, p. 94.

<sup>286</sup> Bulgaria, Regulation No RD-07-6 of 10 October 2012 on Career Development of Social Workers in the Social Assistance Agency (*Наредба № РД-07-6 от 10 октомври 2012 г. за кариерно развитие на социалните работници в Агенцията за социално подпомагане*), 1 January 2013, Art. 9.

			The state-funded social service providers are responsible for hiring qualified staff and regularly accessing their qualification. <sup>287</sup> The SAA has developed methodological guidelines for running state-funded social services for children which recommend, among other things, the qualifications of the services' staff. <sup>288</sup> The degree of qualification of the staff is also one of the selection criteria for awarding social service contracts at the local level.
3.2.4. Are there any <u>selection criteria</u> (for example qualification requirements) and <u>vetting procedures</u> for volunteers working with children in various areas?  <u>If yes</u> , please describe briefly.		X	The standards for social services <sup>289</sup> require the services to have written procedures for selection of volunteers and contracts which clearly state the volunteers' functions, rights and obligations. <sup>290</sup>
3.2.5. Is there <u>regular training</u> on issues related to the identification, referral, and intervention for children delivered to specialists involved in this area?  <u>If yes</u> , please include information on the training of law enforcement officials (judges, persecutors, police),		X	Training on the identification, referral and intervention for children is delivered to specialists on an ad hoc basis and is usually project-based. Private training providers, such as Animus Association Foundation (which has its own post-graduate and professional training centre), <sup>291</sup> do not coordinate their activities with state institutions to offer regular training.

<sup>287</sup> Bulgaria, Regulation on the Quality of Social Services (*Наредба за качеството на социалните услуги*), 28 June 2022, last amended 1 July 2022.

<sup>288</sup> Bulgaria, Social Assistance Agency (*Агенция за социално подпомагане*), Social services funded by the state budget (*Социални услуги, финансирани от държавния бюджет*).

<sup>289</sup> Bulgaria, Regulation on the Quality of Social Services (*Наредба за качеството на социалните услуги*), 28 June 2022, last amended 1 July 2022.

<sup>290</sup> For example, see Bulgaria, Social Assistance Agency (*Агенция за социално подпомагане*), State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2014), Methodological guide for the conditions and procedure for the provision of the social service "Family type accommodation centre for children and youth" (*Методическо ръководство за условията и реда за предоставяне на социална услуга „Център за настаняване от семеен тип за деца и младежи“*), 2014, p. 41.

<sup>291</sup> For more information about the training activities provided by Animus Association Foundation, see the organisation's [website](#).

<p>health and education personnel (doctors, nurses, teachers, school counsellors).</p> <p>Please provide information on the mandatory nature of training, its frequency, funding, if it relates to specific needs of children, etc.</p>		<p>The national policy framework admits the need of further training on children’s rights and child protection for the following groups of professionals: social workers and staff of social services; teachers and other educational staff; law-enforcement; justice professionals; healthcare professionals; sports, cultural and local organisations’ staff; and professionals working in the local commissions for countering anti-social behaviour of minors and juveniles.<sup>292</sup></p> <p>The Academy of the Ministry of the Interior Academy (AMol) (<i>Академия на Министерството на вътрешните работи</i> AMBP), a state-funded higher education institution, has three qualification centres offering modules on children’s rights as part of professional qualification courses “Specialised hearing of child victims or children at risk of violence” and “Investigating crimes involving children”. Both courses are included in the initial training of police officers, delivered upon appointment, as well as in the qualification and specialisation courses taken by officers who are promoted or appointed to more specific positions.<sup>293</sup> In 2022, the Academy held three 5-day courses on “Investigating crimes involving children” involving 55 trainees, and two 5-day courses on “Specialised hearing of child victims or children at risk of violence” involving 18 trainees.<sup>294</sup></p> <p>An exemplary case illustrating the overall lack of sufficient training was the provision of an extraordinary training on “Improving the application of police powers when dealing with children” (<i>Усъвършенстване прилагането на</i></p>
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<sup>292</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Programme for the Prevention of Child Violence and Abuse 2023-2026 (*Национална програма за превенция на насилието и злоупотреба с деца 2023 – 2026 г.*), 26 January 2023.

<sup>293</sup> Bulgaria, Ministry of the Interior Academy (*Академия на Министерство на вътрешните работи*) (2023), Letter No 458100-388 to the Center for the Study of Democracy, 2 March 2023.

<sup>294</sup> Bulgaria, Ministry of the Interior (*Министерство на вътрешните работи*) (2023), Report on the activities of the Standing Committee on Human Rights and Police Ethics at the Ministry of the Interior in 2022 (*Отчет за дейността на Постоянната комисия по правата на човека и полицейската етика в Министерство на вътрешните работи през 2022 г.*), 23 February 2023.

		<p><i>полицейски правомощия при работа с малолетни и непълнолетни</i>). The Minister of the Interior obliged all police officers, investigative police officers, child delinquency inspectors and other staff to pass the training. The training was introduced in response to public pressure arising from a case of alleged violation of the rights of children detained by the police in Sofia.<sup>295</sup> As of 2023, the Academy, in cooperation of UNICEF, is developing a module for additional qualification of police officers on children’s rights.<sup>296</sup></p> <p>The national mental health strategy<sup>297</sup> envisages the development of training modules on the problems of violence against children, as well as training for working with children who have experienced violence in schools. The modules will be part of the postgraduate training of doctors (general practitioners, psychiatrists, child psychiatrists, pediatricians) and medical care specialists. As of March 2023, the modules are not available yet.</p>
<p>3.2.6. Are child rights and child protection topics included in the curriculum of studies for professionals other than social workers and psychologists involved in child protection systems? (Please include information regarding law enforcement officials, judges, prosecutors, lawyers, health, and education personnel)</p>	<p>X</p>	<p>No mandatory or optional courses on children’s rights or child protection are included in the curriculum of judges, prosecutors, law-enforcement or lawyers.</p> <p>The Academy of the Ministry of the Interior (AMol) (<i>Академия на Министерството на вътрешните работи, АМВР</i>) does not have in its curriculum a specific course or module on children’s rights or child protection. However, certain aspects of child protection are taught in two optional courses: “Prevention of antisocial</p>

<sup>295</sup> Nenchev, H. (2022), ‘Extraordinary training course for officers with police powers’ (*Извънреден курс за допълнително обучение на служители с полицейски правомощия*), Paragraph 22, 5 March 2022.

<sup>296</sup> Bulgaria, Academy of the Ministry of the Interior Academy (*Академия на Министерството на вътрешните работи*) (2023), Letter No 458100-388 to the Center for the Study of Democracy, 2 March 2023.

<sup>297</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Strategy for Mental Health of the Citizens of the Republic of Bulgaria 2021–2030 and Action Plan for its implementation (*Национална стратегия за психично здраве на гражданите на Република България 2021 – 2030 г. и План за действие към Националната стратегия за психичното здраве на гражданите на Република България 2021 – 2030 г.*), 23 April 2021.

<p>If <u>yes</u>, please describe briefly.</p>		<p>acts committed by minors and juveniles” and “Deviant and delinquent behaviour of adolescents”. The academy, in cooperation of UNICEF, is also developing a specialised course on children’s rights, which will be included in the additional qualification of police officers.<sup>298</sup></p> <p>The law curriculum of the New Bulgarian University includes a nonmandatory course on legal protection of children. The course is offered within the sixth semester.<sup>299</sup></p>
<p>3.2.7. Are there <u>joint training activities</u> involving professionals and personnel from various disciplines in place?</p> <p>Please provide some examples.</p>	<p>X</p>	<p>Joint training activities involving professionals from different disciplines are usually ad hoc and project-based.</p> <p>For example, within the framework of the EU-funded project “Strengthening the child protection system in Bulgaria by building the capacity of professionals from social services, education and police” („Укрепване на системата за закрила на детето в България чрез изграждане на капацитета на професионалисти от сферите на социалните услуги, образованието и полицията“), implemented jointly by civil society organisations, trade unions and child protection authorities, a series of 28 training events were held across the country bringing together police officers, educational staff and social workers.<sup>300</sup></p> <p>Another example is the EU-funded project ARISA Child, coordinated by the Center for the Study of Democracy (CSD) (Център за изследване на демокрацията, ЦИД), which will develop an</p>

<sup>298</sup> Bulgaria, Academy of the Ministry of the Interior (*Академия на Министерство на вътрешните работи*) (2023), Letter No 458100-388 to the Center for the Study of Democracy, 2 March 2023.

<sup>299</sup> For more information about the law curriculum of the New Bulgarian University, see the [website](#) of the university.

<sup>300</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за защита на децата*) (2020), ‘Strengthening the child protection system in Bulgaria by building the capacity of professionals from social services, education and police’ (*‘Укрепване на системата за закрила на детето в България чрез изграждане на капацитета на професионалисти от сферите на социалните услуги, образованието и полицията’*), press release, 24 June 2020.

		online training tool for prison and probation officers working with children. <sup>301</sup>
3.2.8. Outline briefly the <u>main challenges and/ or gaps relating to human resources, qualification requirements and training</u> underlined the relevant authorities and/ or child protection civil society organisations.	Low qualification requirements, combined with insufficient training, lead to a lack of specialisation of social workers in the field child protection. <sup>302</sup> The turnover of newly recruited staff and the lack of clear career prospects for social workers, as well as the workload gap between regions combined with a multi-level control mechanism over them remain the main challenges to the child protection system. As to social services, the selection and initial qualification of staff are a responsibility of the service providers with the Social Assistance Agency (SAA) ( <i>Агенция за социално подпомагане, АСП</i> ) offering methodological guidelines with recommended qualifications. Selection procedures and initial and continuous training are quality criteria rather than actual possession of concrete knowledge and skills. The newly established Quality of Social Services Agency (QSSA) ( <i>Агенция за качеството на социалните услуги, АКСС</i> ) is responsible for exercising control over compliance with these criteria.	

### 3.3. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection capacities in the past 8 years, incl. achievements and (persisting) gaps and challenges

Despite the improvements in terms of transparency and oversight of public spending in child policies in Bulgaria, there is still limited public participation in the process, in particular involving vulnerable groups.<sup>303</sup> Despite the observed growth of public spending on child-related policies from 4.1 % of GDP in 2017 to 4.7 % of GDP in 2020, studies conclude that this increase comes entirely from higher education costs while healthcare costs remain stable and social protection costs decrease by 0.15 % of.<sup>304</sup> The amount of social transfers is increasing, but they can neither significantly support families with working

<sup>301</sup> For more information about the project ARISA Child, see the project's [website](#).

<sup>302</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p. 136.

<sup>303</sup> UNICEF (2022), *A situation analysis on public finance management and children in Bulgaria 2020*, Sofia, UNICEF Bulgaria, 21 March 2022.

<sup>304</sup> National Network for Children (*Национална мрежа за децата*) (2021), *Financial investments in children of the Bulgarian State (Финансови инвестиции на българската държава в децата)*, Sofia, National Network for Children, 1 May 2021, p. 4; UNICEF (2022), *A situation analysis on public finance management and children in Bulgaria 2020*, Sofia, UNICEF Bulgaria, 21 March 2022., p. 12.

parents nor effectively remove poverty of families in extreme need.<sup>305</sup> In terms of funding of social services, there is a clear focus on funding social work in a family environment.<sup>306</sup> The effectiveness of public spending remains low due to the lack of result-oriented evaluation.<sup>307</sup>

There were no significant developments in terms of human resource development in the child protection area. Persisting gaps, such as high staff turnover, low remuneration and insufficient qualification of social workers, remain unaddressed. Regulatory responses, such as the newly adopted regulation on the remuneration standards in state-funded social services, are yet to be evaluated.<sup>308</sup>

### 3.4. Promising practices

Please list and briefly describe any promising practice in child protection capacities that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

From the 2021/2022 school year, the Ministry of Education and Science (MES) (*Министерство на образованието и науката*, МОН) has introduced a new monthly scholarship payment for students with high grades at admissibility tests, who decide to continue their education in Bulgarian universities in professional areas important to the Bulgarian economy (pedagogy, physics, chemistry and engineering).<sup>309</sup> This measure aims to attract more specialists to selected priority professions, including pedagogy. Eligible for a scholarship are high school graduates (a) who are in the top 10 % in the Bulgarian language and literature matriculation exam (for the 2021/2022 school year, that means scoring at least 5.40 out of 6) and (b) whose grades in the second compulsory matriculation exam and the professional exam are above the national average. The monthly amount of the incentive is BGN 100 (€50). This practice is considered a long-term measure for improving the quality of human resources in the area of school education.<sup>310</sup> This measure was piloted in 2016 under the Operational Programme “Science and Education for Intelligent Growth” (*Оперативна програма „Наука и образование за интелигентен растеж“*). It was considered extremely successful by supporting over 30,000 students – far beyond the

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<sup>305</sup> National Network for Children (*Национална мрежа за децата*) (2022), *Gradebook 2022: What is the average score of the State in child care? (Бележник 2022: Какъв е средният успех на държавата в грижата за децата?)*, 11 May 2022.

<sup>306</sup> National Network for Children (*Национална мрежа за децата*) (2021), *Financial investments in children of the Bulgarian State (Финансови инвестиции на българската държава в децата)*, Sofia, National Network for Children, 1 May 2021, p. 16.

<sup>307</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021.

<sup>308</sup> Bulgaria, Regulation on the standards for remuneration of employees of state-funded social services (*Наредба за стандартите за заплащане на труда на служителите, осъществяващи дейности по предоставяне на социални услуги, които се финансират от държавния бюджет*), 7 December 2020.

<sup>309</sup> For more information, see the [website](#) of the Ministry of Education and Science.

<sup>310</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021.

expected results.<sup>311</sup> The secondary legislation allowing these expenses to be covered by the state budget was adopted in 2020 and came in force as of academic year 2020/2021.<sup>312</sup>

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<sup>311</sup> For more information, please see [Minister of Education and Science report](#) on draft Decree amendment.

<sup>312</sup> Bulgaria, Council of Ministers (*Министерски съвет*) Decree no 90 of 26 May 2000 on the conditions and procedure for granting scholarships to students, doctoral students and post-graduate students of state higher education institutions and scientific organisations ([Постановление № 90 от 26 май 2000 г. за условията и реда за предоставяне на стипендии на студентите, докторантите и специализантите от държавните висши училища и научни организации](#)), last amended 5 August 2022. Art. 8b.

## 4. Care

### 4.1. Prevention measures and services

4.1.1. Please provide information on the interaction between the child protection system and the social welfare and social protection system in place. Is there an inherent coordination of measures and interventions? Are responsible authorities and service providers the same or different?

The child protection system, the social welfare and the social protection system are generally concentrated within Bulgaria's Social Assistance Agency (SAA) (*Агенция за социално подпомагане*, АСП). It registers social protection needs and decides upon social protection measures in response to these needs. The child protection system in Bulgaria is more focused on responding to situations in which children need protection rather than on prevention.<sup>313</sup> The prevention measures, where available, are usually implemented by the Child Protection Units (CPU) (*Отдел „Закрила на детето“*, ОЗД) of the local Social Assistance Directorates (SAD) (*Дирекция „Социално подпомагане“*, ДСП) with the support of the relevant institutions – the State Agency for Child Protection (SACP) (*Държавна агенция за закрила на детето*, ДАЗД) (in terms of coordination and control), the ministries of labour and social policy, education and science, the interior, justice, foreign affairs, culture, and health, as well as the municipal Child Commissions (*Комисия за детето*).<sup>314</sup>

The child protection legislation defines prevention as protection of a child through information, assistance, support and services.<sup>315</sup> In that sense, prevention falls within the domain of the SAA. The secondary legislation and policy documents mention prevention in relation to specific situations of vulnerability, e.g., prevention of violence and abuse,<sup>316</sup> prevention in case of identified risk of child abandonment,<sup>317</sup> etc. The prevention of violence and bullying in school is in the domain of the

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<sup>313</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021.

<sup>314</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 6a.

<sup>315</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, §13 of the additional provisions.

<sup>316</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Programme for the Prevention of Child Violence and Abuse 2023-2026 (*Национална програма за превенция на насилието и злоупотреба с деца 2023 – 2026 г.*), 23 January 2023.

<sup>317</sup> Bulgaria, Regulation on the conditions and procedures for the implementation of measures to prevent the abandonment of children and their placement in institutions, as well as for their reintegration (*Наредба за условията и реда за осъществяване на мерки за предотвратяване на изоставянето на деца и настаняването им в институции, както и за тяхната реинтеграция*), 22 August 2003, last amended 7 May 2019.

Ministry of Education and Science (MES) (*Министерство на образованието и науката, МОН*).<sup>318</sup> Prevention measures, where available, usually involve teachers, children and parents.

4.1.2. Is there evidence that families are supported in their role of primary caregivers? Is the primary position of families in child caregiving and protection recognised and supported through universal and targeted services and through every stage of the intervention, particularly through prevention? Which type of support (incl. financial, medical, psycho/social advice, legal advice, care staff, care equipment, guidance and training etc.) is available to families in need.

Taking care of a child in family environment is the second child protection principle, laid down in the Child Protection Act (*Закон за закрила на детето*).<sup>319</sup> In addition, the law states that placement of a child outside the family is imposed as a protection measure after all possibilities for protection within the family are exhausted, except in cases where emergency removal is necessary.<sup>320</sup> At the same time, in the national legislation there are no provisions on prevention, in particular with regard to specific support for parents and carers to develop their parenting skills.<sup>321</sup> Despite the law defines one of the functions of Child Protection Units (CPU) (*Отдел „Закрила на детето“*) as advising and counselling on the upbringing and education of children<sup>322</sup> there is no evidence on how or if this is done in practice. Support for caregivers is not generally accessible unless there is evidence that a child is at risk or the caregivers request it.<sup>323</sup> Counselling, legal, psychological and/or pedagogical support is not available in the form of regular courses, lectures, etc. that anyone interested can attend. Instead, the Social Assistance Agency (SAA) (*Агенция за социално подпомагане, АСП*) provides them if requested by the child or the family.<sup>324</sup> Parents also use the National Children’s Hotline 116 111 as a source for obtaining information about available support measures in their communities

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<sup>318</sup> Bulgaria, Ministry of Education and Science (*Министерство на образованието и науката*), Mechanism to Counter Bullying and Violence in the Institutions of the Pre-School and School Education System (*Механизъм за противодействие на тормоза и насилието в институциите в системата на предучилищното и училищното образование*), 28 December 2017.

<sup>319</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 3.

<sup>320</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 25(2).

<sup>321</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p.8

<sup>322</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 21.

<sup>323</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p.23

<sup>324</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 24.

such as counselling, support programmes or legal aid.<sup>325</sup> The national programme for preventing violence and abuse of children<sup>326</sup> envisages the implementation of some general prevention measures in an attempt to fill this gap.

Apart from that, families can receive one-off or monthly financial assistance as a means of preventing child abandonment.<sup>327</sup> Families with an average income per person lower than five times the guaranteed minimum income are eligible for monthly assistance. One-off assistance of up to 10 times the guaranteed minimum income can be allocated up to four times a year for meeting unexpected expenses of the child.<sup>328</sup> Currently, the general minimum income stands at BGN 75 (approximately €38).

#### 4.1.3. When a child in need of care is identified, who coordinates support to the family and the child to ensure protection and prevent abuse and/ or placement of the child and how?

The local Social Assistance Directorates (SAD) (*Дирекция „Социално подпомагане“, ДСП*) coordinate all child support measures. Everyone who comes to know that a child needs protection, should notify, within one hour, the police, the State Agency for Child Protection (SACP) (*Държавна агенция за закрила на детето, ДАЗД*) or a Social Assistance Directorate (SAD) (*Дирекция „Социално подпомагане“, ДСП*).<sup>329</sup> The notification is then forwarded to the Social Assistance

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<sup>325</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2021), Information about the National Children’s Hotline 116 111 for 2020 (*Информация за Националната телефонна линия за деца 116 111 за 2020 година*), 10 February 2021, p. 6.

<sup>326</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Programme for the Prevention of Child Violence and Abuse 2023-2026 (*Национална програма за превенция на насилието и злоупотреба с деца 2023 – 2026 г.*), 23 January 2023.

<sup>327</sup> Bulgaria, Rules on the Implementation of the Child Protection Act (*Правилник за прилагане на Закона за закрила на детето*), 27 July 2003, last amended 8 January 2021, Art. 46-48.

<sup>328</sup> Bulgaria, Rules on the Implementation of the Child Protection Act (*Правилник за прилагане на Закона за закрила на детето*), 27 July 2003, last amended 8 January 2021.

<sup>329</sup> Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*), Ministry of the Interior (*Министерство на вътрешните работи*), Ministry of Education, Youth and Science (*Министерство на образованието, младежта и науката*), Ministry of Justice (*Министерство на правосъдието*), Ministry of Foreign Affairs (*Министерство на външните работи*), Ministry of Culture (*Министерство на културата*), Ministry of Health (*Министерство на здравеопазването*), State Agency for Child Protection (*Държавна агенция за закрила на детето*), Social Assistance Agency (*Агенция за социално подпомагане*), National Association of Municipalities in the Republic of Bulgaria (*Национално сдружение на общините в Република България*) (2010), Cooperation and Coordination Agreement on the Work of the Territorial Structures of Child Protection Authorities in Cases of Children Victims of Violence or at Risk of Violence and in Case of a Crisis Intervention (*Споразумение за сътрудничество и координиране на работата на териториалните структури на органите за закрила на детето при случаи на деца, жертви на насилие или в риск от насилие и при кризисна интервенция*), Annex 1: Obligations of the protection

Directorate (SAD) (*Дирекция „Социално подпомагане“, ДСП*) responsible for the locality where the child lives.<sup>330</sup> In cases of violence against a child, the social worker from the respective Child Protection Unit (CPU) (*Отдел „Закрила на детето“, ОЗД*), who is appointed to lead the case, convenes a multidisciplinary team. The multidisciplinary team includes a representative of the police, the regional prosecutor's office and the municipality. At the discretion of the team leader,<sup>331</sup> it can also include a representative of the regional health inspectorate, the child's general practitioner or a representative of the hospital, which reported the case, a representative of the regional education department and the school, kindergarten or other educational institution, and a representative of the service provider if the child is a user of a state-funded social service.<sup>332</sup>

#### 4.1.4. What are the crisis emergency responses in place?

In all cases where there is information about direct and immediate danger for a child's life and health, the Child Protection Unit (CPU) (*Отдел „Закрила на детето“, ОЗД*) of the respective local Social Assistance Directorate (SAD) (*Дирекция „Социално подпомагане“, ДСП*) initiates an urgent intervention. If neither the family nor the Social Assistance Directorate (SAD) (*Дирекция „Социално подпомагане“, ДСП*) can secure the child's safety, the social workers can approach the police and request the provision of police protection.<sup>333</sup> Police protection is an emergency protection measure envisaged in the Child Protection Act (*Закон за закрила на детето*). It applies when (1) the child is the target of a criminal offence, there is an imminent danger for the child's life or health, or there is a danger that the child may be involved in a criminal offence; (2) the child is lost or in a helpless condition; and (3) the child is left unattended.<sup>334</sup> If a high risk is identified, the Child Protection Unit (CPU) (*Отдел „Закрила на детето“, ОЗД*) immediately compiles an evaluation report with a

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authorities at central and local level and the other entities involved under this Coordination Mechanism for interaction in cases of children victims or at risk of violence and for interaction in crisis intervention (*Приложение 1: Задължения на органите за закрила на централно и местно ниво и останалите ангажирани субекти по настоящия Координационен механизъм за взаимодействие при работа в случаи на деца, жертви или в риск от насилие и за взаимодействие при кризисна интервенция*), 15 March 2010.

<sup>330</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 7.

<sup>331</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*), Social Assistance Agency (*Агенция за социално подпомагане*), Methodology for case management for the protection of a child at risk by Child Protection Units (*Методика за управление на случай за закрила на дете в риск от отдел „Закрила на детето“*), 27 April 2021.

<sup>332</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 7.

<sup>333</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*), Social Assistance Agency (*Агенция за социално подпомагане*), Methodology for case management for the protection of a child at risk by Child Protection Units (*Методика за управление на случай за закрила на дете в риск от отдел „Закрила на детето“*), 27 April 2021.

<sup>334</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 38.

recommendation for opening a case and imposing an urgent protection measure. The director of respective local Social Assistance Directorate (SAD) (*Дирекция „Социално подпомагане“*, ДСП) can issue an order for the emergency removal of the child from the family.<sup>335</sup>

When the information about a child in immediate danger is received through the National Children’s Hotline, the operator should redirect the call to the common emergency telephone number 112.<sup>336</sup> In such cases, the operator is not obliged to collect information about the name and location of the child in need.

#### 4.2. Identification and reporting procedures

Question	Yes	No	Comments
<p>4.2.1. Is there an identification/reporting obligation foreseen in the legislation?</p> <p>If <u>yes</u>, please provide the relevant provisions and indicate authorities and/or individuals that have identification/reporting obligations.</p>	X		<p>Everyone who comes to know that a child needs protection is obliged to report the case to the police, the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>) or a Social Assistance Directorate (SAD) (<i>Дирекция „Социално подпомагане“</i>, ДСП). The same obligation applies to all persons who have learned of a child in need of protection due to their profession or professional activity.<sup>337</sup></p> <p>The report about a child at risk can be submitted orally, in writing or as a result of the proactive collection of information by the social workers from the Social Assistance Directorate (SAD) (<i>Дирекция „Социално подпомагане“</i>, ДСП).<sup>338</sup> Anonymous reports are considered only in cases concerning violence against children and only upon decision of the SAD’s director.</p>

<sup>335</sup> Bulgaria, Rules for the Implementation of the Child Protection Act (*Правилник за прилагане на Закона за закрила на детето*), 14 July 2003, last amended 8 January 2021.

<sup>336</sup> Bulgaria, Rules for the Implementation of the Child Protection Act (*Правилник за прилагане на Закона за закрила на детето*), 14 July 2003, last amended 8 January 2021, Art. 73.

<sup>337</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 7.

<sup>338</sup> Bulgaria, Rules on the Implementation of the Child Protection Act (*Правилник за прилагане на Закона за закрила на детето*), 27 July 2003, last amended 8 January 2021, Art. 10.

		<p>Upon obtaining such a report, the SAD follows the procedures laid down in the methodology for case management for the protection of children at risk<sup>339</sup> described in section 4.2.2 below. There are no other specific provisions or guidelines for dealing with complaints by children. No information exists on specific trainings in this regard.</p> <p>The Health Act (<i>Закон за здравето</i>) obliges healthcare workers to report to the SADs all cases of newly born children at risk of being abandoned. According to the law, in some cases, such a risk should be presumed. These include cases of mothers without an ID card, single mothers, mothers of many children, and mothers suffering from multiple or serious diseases. Health workers are also obliged to inform the police and the SADs about all cases of child victims of violence.<sup>340</sup></p>
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4.2.2. Please describe available national and/or sub-national reporting procedures for cases of abuse, exploitation, violence, harassment, discrimination, or neglect against children in all available reporting mechanisms, including, helplines and hotlines. Include the legislative and regulatory framework, actors involved (e.g. police, child protection centres, victims support organisations), and timeframe.

Please provide details such as if there a common or different procedures or helplines/hotlines for specific issues. What is the profession of the staff receiving the reporting? Is the staff competent and trained for the purpose?

Everyone who comes to know that a child needs protection is obliged to report the case to the police, the State Agency for Child Protection (SACP) (*Държавна агенция за закрила на детето*, ДАЗД) or a Social Assistance Directorate (SAD) (*Дирекция „Социално подпомагане“*, ДСП).<sup>341</sup> The report can be submitted by the child, the parents, other persons, public authorities and private legal entities.<sup>342</sup>

Cases of children in need of protection can be reported through the following existing channels:

<sup>339</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*), Social Assistance Agency (*Агенция за социално подпомагане*), Methodology for case management for the protection of a child at risk by Child Protection Units (*Методика за управление на случай за закрила на дете в риск от отдел „Закрила на детето“*), 27 April 2021.

<sup>340</sup> Bulgaria, Health Act (*Закон за здравето*), Art. 125a.

<sup>341</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 7.

<sup>342</sup> Bulgaria, Rules on the Implementation of the Child Protection Act (*Правилник за прилагане на Закона за закрила на детето*), 27 July 2003, last amended 8 January 2021, Art. 9(1) and Art. 9(2).

- Single European emergency number 112, operated by the Ministry of the Interior (Moi) (*Министерство на вътрешните работи, МВР*) and governed by a special law.<sup>343</sup> The law does not envisage any special rules or procedures for reporting cases involving children.
- National Children’s Hotline 116 111 operated jointly by the State Agency for Child Protection (SACP) (*Държавна агенция за закрила на детето, ДАЗД*) and the Social Assistance Agency (SAA) (*Агенция за социално подпомагане, АСП*). The hotline works 24 hours per day and is free of charge.<sup>344</sup> Calls are received by operators with psychological and pedagogical background. There is no information on any specific provisions, guidance or training of operators or on their methods of communication with users. Information about children in distress or in urgent need of help, reported through the hotline, is forwarded to Single European emergency number 112.
- Hotline for online safety of children 124 123.<sup>345</sup>
- Help line for survivors of violence 0800 1 8676 operated by Animus Association Foundation (*Фондация „Асоциация Анимус“*).<sup>346</sup>
- Hotline for victims of domestic violence 0700 40 150 operated by Demetra Association (*Асоциация Деметра*).<sup>347</sup>

The mechanism for referral of children to child protection measures is regulated in the Child Protection Act (*Закон за закрила на детето*) and the secondary legislation on its implementation. The mechanism is activated when the Social Assistance Directorate (SAD) (*Дирекция „Социално подпомагане“, ДСП*) at the place of residence of the child in need of protection confirms the risk situation. The timeframe for the initial investigation and collection of information is ten days from the receipt of the report or 24 hours if the report concerns violence.<sup>348</sup> In cases of reported violence against a child, the Social Assistance Directorate (SAD) (*Дирекция „Социално подпомагане“, ДСП*) activates the special coordination mechanism for handling cases of violence and abuse of children, setting up a multidisciplinary team to coordinate the intervention and application of protection measures.<sup>349</sup>

Question	Yes	No	Comments
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<sup>343</sup> Bulgaria, National Emergency Call System with a Single European Number 112 Act (*Закон за националната система за спешни повиквания с единен европейски номер 112*), 28 November 2008, last amended 23 July 2019.

<sup>344</sup> For more information, see the [website](#) of the National Children’s Hotline.

<sup>345</sup> For more information, see the [website](#) the Bulgarian Safer Internet Centre.

<sup>346</sup> For more information, see the [website](#) of Animus Association Foundation.

<sup>347</sup> For more information, see the [website](#) of Demetra Association.

<sup>348</sup> Bulgaria, Rules on the Implementation of the Child Protection Act (*Правилник за прилагане на Закона за закрила на детето*), 27 July 2003, last amended 8 January 2021, Art. 16.

<sup>349</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 36d.

<p>4.2.3. Do children have the right to report independently?</p> <p>If <u>yes</u>, please provide information on the availability of <u>age-appropriate and child-friendly</u> reporting procedures (to whom and how children can report child rights' violations and abuse). Is the anonymity and confidentiality of the child in the reporting protected? Please comment briefly.</p>	<p><b>X</b></p>	<p>Every child has the right to report independently about a violation of their rights or abuse via the existing reporting channels. However, there are no specific age-appropriate and child-friendly reporting procedures.</p> <p>Anonymous reports submitted through the Single European emergency number 112 are not accepted.<sup>350</sup> The child's anonymity and confidentiality are protected by all child protection authorities, including the National Children's Hotline. The law prohibits the disclosure of any information or data about children.<sup>351</sup></p>
<p>4.2.4. Are children informed of their right to report and how they can do it? If yes, by whom and how?</p>	<p><b>X</b></p>	<p>There are no special rules on informing children about their right to report. The National Children's Hotline 116 111 has a website with information on reporting procedures.<sup>352</sup> It also has a chat service offering children the possibility to obtain personal advice from trained consultants. The chat service operates on Tuesdays and Thursdays from 14:00 to 16:00 with the exception of public holidays.<sup>353</sup></p> <p>The State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>) disseminates information about the available reporting channels when the agency's representatives participate in trainings, seminars, workshops, round tables and conferences with professionals from the health, social, education and law enforcement authorities.<sup>354</sup> Information in a child-friendly format is available online on the website of the State Agency for Child Protection</p>

<sup>350</sup> Bulgaria, National Emergency Call System with a Single European Number 112 Act (*Закон за националната система за спешни повиквания с единен европейски номер 112*), 28 November 2008, last amended 23 July 2019.

<sup>351</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 11a.

<sup>352</sup> For more information, see the [website](#) of the National Children's Hotline.

<sup>353</sup> For more information, see the [website](#) of the National Children's Hotline.

<sup>354</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2023), Letter to the Center for the Study of Democracy, 6 March 2023

(SACP) (Държавна агенция за закрила на детето, ДАЗД).<sup>355</sup>

4.2.5. What are the main challenges and/or gaps relating to identification and reporting procedures underlined by relevant authorities and/or child protection civil society organisations?

According to UNICEF, there is obvious lack of legal regulation of prevention and response services to support the physical and psychological recovery and social reintegration of child victims of violence (as required by Article 39 of the United Nations Convention on the Rights of the Child).<sup>356</sup> Although, according to the State Agency for Child Protection (SACP) (Държавна агенция за закрила на детето, ДАЗД), there is good cooperation within the multidisciplinary teams for intervention in cases of children in need of protection, the number of such teams has decreased in 2021.<sup>357</sup> This trend is also highlighted by UNICEF, which also points out the low level of involvement of healthcare and education authorities in the implementation of the coordination mechanism.<sup>358</sup> Reporting is low on the part of hospitals, schools and the children themselves, which suggests that further efforts are needed to enable first-line practitioners to recognise signs of domestic violence and to inform and support children to be better aware of their rights and report violations.<sup>359</sup>

There are also discrepancies in the data collected by different institutions suggesting the need of developing and implementing a unified methodology for data collection between the State Agency for Child Protection (SACP) (Държавна агенция за закрила на детето, ДАЗД) and the Social Assistance Agency (SAA) (Агенция за социално подпомагане, АСП).<sup>360</sup>

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<sup>355</sup> For example, see the sections Who Protects Your Rights (*Кой защитава твоите права*) and Me and Child Protection Act (*Аз и Законът за закрила на детето*) on the website of the State Agency for Child Protection.

<sup>356</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p. 45.

<sup>357</sup> Bulgaria, State Agency for Child Protection (Държавна агенция за закрила на детето) (2022), *Monitoring the implementation of the Violence Coordination Mechanism – 2021 (Мониторинг на прилагането на Координационния механизъм при насилие – 2021 г.)*, 17 August 2022, p. 5.

<sup>358</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p. 127.

<sup>359</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p. 55.

<sup>360</sup> Bulgaria, Council of Ministers (Министерски съвет), *National Programme for the Prevention of Child Violence and Abuse 2023-2026 (Национална програма за превенция на насилието и злоупотреба с деца 2023 – 2026 г.)*, 23 January 2023, p. 6.

### 4.3. Referral procedures(s) and investigation and protection

#### 4.3.1. Please describe the referral mechanisms in place following reporting and identification procedures.

In the answer please include the legislative and regulatory framework, interagency protocols and guidelines, the actors involved and their role and responsibilities, as well as the applicable timeline. Please also specify the procedure, if different, for other groups of children (e.g. with disabilities, migrant, victim of a particular form of violence etc.)

The mechanism for referral of children to child protection measures is regulated in the Child Protection Act (*Закон за закрила на детето*), the secondary legislation for its implementation, the coordination mechanism in cases of violence,<sup>361</sup> and the methodological guidelines for case management.<sup>362</sup> All notifications of children in need of protection should be forwarded to the local Social Assistance Directorate (SAD) (*Дирекция „Социално подпомагане“*, ДСП) at the place of residence of the child. Upon receiving the report, the director of the SAD assigns the case to a lead

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<sup>361</sup> Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*), Ministry of the Interior (*Министерство на вътрешните работи*), Ministry of Education, Youth and Science (*Министерство на образованието, младежта и науката*), Ministry of Justice (*Министерство на правосъдието*), Ministry of Foreign Affairs (*Министерство на външните работи*), Ministry of Culture (*Министерство на културата*), Ministry of Health (*Министерство на здравеопазването*), State Agency for Child Protection (*Държавна агенция за закрила на детето*), Social Assistance Agency (*Агенция за социално подпомагане*), National Association of Municipalities in the Republic of Bulgaria (*Национално сдружение на общините в Република България*) (2010), Cooperation and Coordination Agreement on the Work of the Territorial Structures of Child Protection Authorities in Cases of Children Victims of Violence or at Risk of Violence and in Case of a Crisis Intervention (*Споразумение за сътрудничество и координиране на работата на териториалните структури на органите за закрила на детето при случаи на деца, жертви на насилие или в риск от насилие и при кризисна интервенция*), Annex 1: Obligations of the protection authorities at central and local level and the other entities involved under this Coordination Mechanism for interaction in cases of children victims or at risk of violence and for interaction in crisis intervention (*Приложение 1: Задължения на органите за закрила на централно и местно ниво и останалите ангажирани субекти по настоящия Координационен механизъм за взаимодействие при работа в случаи на деца, жертви или в риск от насилие и за взаимодействие при кризисна интервенция*), Annex 2a Multidisciplinary mechanism for interaction in case of a report of a child victim of violence or at risk of violence (*Приложение 2a: Мултидисциплинарен механизъм за взаимодействие при сигнал за дете, жертва на насилие или в риск от насилие*), Annex 2b Crisis intervention procedure (*Процедура при кризисна интервенция*), 15 March 2010.

<sup>362</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*), Social Assistance Agency (*Агенция за социално подпомагане*), Methodology for case management for the protection of a child at risk by Child Protection Units (*Методика за управление на случай за закрила на дете в риск от отдел „Закрила на детето“*), 27 April 2021.

social worker, who should verify the need of protection within 24 hours in cases of violence or abuse or up to ten days in all other cases. When verifying the report, the social worker can speak to the child's family, the child themselves, the child's school or kindergarten, relatives and other close persons, neighbours, other SADs, the child's general practitioner and other people, if needed. After confirming the child is at risk, the social worker opens a case. Within four weeks after receiving the report, the social worker should evaluate the child's needs, the parental potential, the risk and the available resources to respond to it. This evaluation ends up with a report, based on which the social worker develops an action plan. The action plan is consulted with the caregivers and the child if the child's maturity allows and if this does not contradict to their best interest or rights. The action plan consists of protection measures in the family<sup>363</sup> or protection measure provided by social services. A child can also be taken out of the family and accommodated with relatives/close persons, in a foster family or in a residential social service. The social worker organises regular meetings with all relevant stakeholders for reviewing the implementation of the action plan. The meetings take place at intervals between three months (in cases of violence or exploitation) and six months.

Question	Yes	No	Comments
4.3.2. Are there applicable standards in the form of legal provisions, guidelines, protocols, interagency agreements or regulatory frameworks regarding investigation and assessment procedures following reporting and identification procedures?	X		All procedures applied in cases of children in need of protection are described in a methodological guideline for case management. <sup>364</sup> The document offers step-by-step guidance for social workers dealing with cases of children at risk.  There are also special procedures for some specific categories of cases. For example, in cases of violence, the social workers should apply the special coordination mechanism in cases of

<sup>363</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 23. Currently, there are 11 protection measures in the family: (1) provision of pedagogical, psychological and legal support to caregivers; (2) referral to suitable social services; (3) advising and informing the child in accordance with their age and stage of development; (4) consultation and support related to social support and social services; (5) assistance to improve social and living conditions; (6) social work to facilitate relationships between children and parents and deal with conflicts and crises in relationships; (7) exploring the child's individual abilities and interests and referring them to an appropriate school; (8) assisting in finding suitable employment for needy persons aged 16 or over; (9) referring the child to appropriate forms of leisure activities; (10) assistance to adoptive parents in preparing them for the performance of their parental functions, the adoption itself, as well as protection of the child's rights when the adoption is terminated; and (11) assistance to caregivers in the preparation and performance of their functions.

<sup>364</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*), Social Assistance Agency (*Агенция за социално подпомагане*), Methodology for case management for the protection of a child at risk by Child Protection Units (*Методика за управление на случай за закрила на дете в риск от отдел „Закрила на детето“*), 27 April 2021.

		<p>violence against children,<sup>365</sup> in cases of children at risk of abandonment, the special regulation on preventing the abandonment of children applies,<sup>366</sup> etc.</p> <p>The State Agency for Child Protection (SACP) has also developed a set of practical guidelines for first-line practitioners from the education system when confronted with cases of violence or other incidents.<sup>367</sup></p>
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<sup>365</sup> Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*), Ministry of the Interior (*Министерство на вътрешните работи*), Ministry of Education, Youth and Science (*Министерство на образованието, младежта и науката*), Ministry of Justice (*Министерство на правосъдието*), Ministry of Foreign Affairs (*Министерство на външните работи*), Ministry of Culture (*Министерство на културата*), Ministry of Health (*Министерство на здравеопазването*), State Agency for Child Protection (*Държавна агенция за закрила на детето*), Social Assistance Agency (*Агенция за социално подпомагане*), National Association of Municipalities in the Republic of Bulgaria (*Национално сдружение на общините в Република България*) (2010), Cooperation and Coordination Agreement on the Work of the Territorial Structures of Child Protection Authorities in Cases of Children Victims of Violence or at Risk of Violence and in Case of a Crisis Intervention (*Споразумение за сътрудничество и координиране на работата на териториалните структури на органите за закрила на детето при случаи на деца, жертви на насилие или в риск от насилие и при кризисна интервенция*), Annex 1: Obligations of the protection authorities at central and local level and the other entities involved under this Coordination Mechanism for interaction in cases of children victims or at risk of violence and for interaction in crisis intervention (*Приложение 1: Задължения на органите за закрила на централно и местно ниво и останалите ангажирани субекти по настоящия Координационен механизъм за взаимодействие при работа в случаи на деца, жертви или в риск от насилие и за взаимодействие при кризисна интервенция*), Annex 2a Multidisciplinary mechanism for interaction in case of a report of a child victim of violence or at risk of violence (*Приложение 2a: Мултидисциплинарен механизъм за взаимодействие при сигнал за дете, жертва на насилие или в риск от насилие*), Annex 2b Crisis intervention procedure (*Процедура при кризисна интервенция*), 15 March 2010.

<sup>366</sup> Bulgaria, Regulation on the conditions and procedures for the implementation of measures to prevent the abandonment of children and their placement in institutions, as well as for their reintegration (*Наредба за условията и реда за осъществяване на мерки за предотвратяване на изоставянето на деца и настаняването им в институции, както и за тяхната реинтеграция*), 22 August 2003, last amended 7 May 2019.

<sup>367</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2019), Practical guidelines on the actions to be taken by those working in educational institutions in the field of secondary education in the event of an incident, situation of violence and in other critical

4.3.3. Is the assessment carried out by a multidisciplinary team of professionals?	X	<p>In cases of violence, the responsible social worker has to apply the coordination mechanism in cases of violence against children, which envisages the involvement of a multidisciplinary team. According to the mechanism, the involvement of some experts is mandatory. These are the lead social worker, a representative of the municipality, and a representative of the local police unit. The involvement of other experts is recommended but not mandatory. These include a representative of the local health centre; the child's general practitioner; a representative of the local emergency unit or hospital; a representative of the regional education inspectorate; the director or a teacher from the child's school or kindergarten; a representative of the local commission for combating juvenile delinquency; a judge from the regional court; a prosecutor from the regional prosecutor's office; a representative of a residential social service and/or a community-based social service.<sup>368</sup></p>
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cases, protocol for reporting and subsequent response (*Практически насоки за действията, които работещите в образователните институции в сферата на средното образование следва да предприемат в случай на инцидент, ситуация на насилие и в други критични случаи, протокол за докладване и последваща реакция*), 14 November 2019.

<sup>368</sup> Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*), Ministry of the Interior (*Министерство на вътрешните работи*), Ministry of Education, Youth and Science (*Министерство на образованието, младежта и науката*), Ministry of Justice (*Министерство на правосъдието*), Ministry of Foreign Affairs (*Министерство на външните работи*), Ministry of Culture (*Министерство на културата*), Ministry of Health (*Министерство на здравеопазването*), State Agency for Child Protection (*Държавна агенция за закрила на детето*), Social Assistance Agency (*Агенция за социално подпомагане*), National Association of Municipalities in the Republic of Bulgaria (*Национално сдружение на общините в Република България*) (2010), Cooperation and Coordination Agreement on the Work of the Territorial Structures of Child Protection Authorities in Cases of Children Victims of Violence or at Risk of Violence and in Case of a Crisis Intervention (*Споразумение за сътрудничество и координиране на работата на териториалните структури на органите за закрила на детето при случаи на деца, жертви на насилие или в риск от насилие и при кризисна интервенция*), Annex 1: Obligations of the protection authorities at central and local level and the other entities involved under this Coordination Mechanism for interaction in cases of children victims or at risk of violence and for interaction in crisis intervention (*Приложение 1: Задължения на органите за закрила на централно и местно ниво и останалите ангажирани субекти по настоящия Координационен механизъм за взаимодействие при работа в случаи на деца, жертви или в риск от насилие*

		<p>In all other cases, the local Child Protection Unit (CPU) (<i>Отдел „Закрила на детето“</i>, ОЗД) forms an internal assessment team in accordance with the case specifics and the available resources.<sup>369</sup> It may involve external experts such as a psychologist, clinical psychologist, psychiatrist, etc., in order to analyse the information about the mental and emotional situation of the child. When an assessment of parental skills is needed and the parents do not live in the same place as the child, the Child Protection Unit (CPU) (<i>Отдел „Закрила на детето“</i>, ОЗД) at their place of residence is also involved. The child’s needs assessment as well as the assessment of parental skills of caregivers can also be outsourced to a social service provider.<sup>370</sup></p>
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4.3.4. Please provide information on who is responsible to investigate and assess the situation of the child and the family and how this is done. Please provide information and describe the role and responsibilities of judicial authorities in the reporting and referral procedure.

The local Child Protection Unit (CPU) (*Отдел „Закрила на детето“*, ОЗД) in the area where the child lives (the responsible social worker and the unit’s director) has the primary responsibility to carry out the investigation and evaluate the situation of the child and the family. In cases of violence, according to the special coordination mechanism, a multidisciplinary team of experts is set up to develop a joint referral strategy. Representatives of the judiciary may be part of these teams. The child and the carers are informed about the results of the assessment but are not offered the

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*и за взаимодействие при кризисна интервенция*), Annex 2a Multidisciplinary mechanism for interaction in case of a report of a child victim of violence or at risk of violence (*Приложение 2а: Мултидисциплинарен механизъм за взаимодействие при сигнал за дете, жертва на насилие или в риск от насилие*), Annex 2b Crisis intervention procedure (*Процедура при кризисна интервенция*), 15 March 2010.

<sup>369</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*), Social Assistance Agency (*Агенция за социално подпомагане*), Methodology for case management for the protection of a child at risk by Child Protection Units (*Методика за управление на случай за закрила на дете в риск от отдел „Закрила на детето“*), 27 April 2021, p. 7.

<sup>370</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*), Social Assistance Agency (*Агенция за социално подпомагане*), Methodology for case management for the protection of a child at risk by Child Protection Units (*Методика за управление на случай за закрила на дете в риск от отдел „Закрила на детето“*), 27 April 2021, p. 7.

opportunity to comment on them.<sup>371</sup> Upon decision of the local Child Protection Unit (CPU) (*Отдел „Закрила на детето“*, ОЗД), the assessment may be outsourced to a social service provider.

The judicial authorities can intervene when the child needs to be taken out of their family and placed in institution, in foster care or with other relatives.<sup>372</sup> The court is also responsible for setting the schedule of meetings between the child and their parents in cases when the child lives in a foster family.<sup>373</sup> Caregivers can appeal before the court the decisions of the Child Protection Unit (CPU) (*Отдел „Закрила на детето“*, ОЗД) for placing the child outside the family.<sup>374</sup>

Question	Yes	No	Comments
4.3.5. Are the roles and responsibilities of the various actors and professionals involved in these procedures (including civil society organisations) clearly stated in the legislative and regulatory framework?		X	The roles and responsibilities of the various actors and professionals involved in the procedures are not clearly stated in the law. With the exception of cases of violence, where the participation of certain experts is mandatory, in all other cases the composition of the teams and the roles and responsibilities of their members depend on the decision of the local Child Protection Unit (CPU) ( <i>Отдел „Закрила на детето“</i> , ОЗД). In practice, this can lead to similar cases being dealt with by teams with completely different composition.
4.3.6. Are there any inter-agency cooperation protocols and	X		The coordination mechanism in cases of violence against children <sup>375</sup> was established in 2010 as an

<sup>371</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*), Social Assistance Agency (*Агенция за социално подпомагане*), Methodology for case management for the protection of a child at risk by Child Protection Units (*Методика за управление на случай за закрила на дете в риск от отдел „Закрила на детето“*), 27 April 2021, p. 7.

<sup>372</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 25(2).

<sup>373</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 33.

<sup>374</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 27a.

<sup>375</sup> Bulgaria, Ministry of Labour and Social Policy (*Министерство на труда и социалната политика*), Ministry of the Interior (*Министерство на вътрешните работи*), Ministry of Education, Youth and Science (*Министерство на образованието, младежта и науката*), Ministry of Justice (*Министерство на правосъдието*), Ministry of Foreign Affairs (*Министерство на външните работи*), Ministry of Culture (*Министерство на културата*), Ministry of Health (*Министерство на здравеопазването*), State Agency for Child Protection (*Държавна агенция за закрила на детето*), Social Assistance Agency (*Агенция за социално подпомагане*), National Association of Municipalities in the Republic of Bulgaria (*Национално*

<p>agreements in place to strengthen cooperation between actors with responsibility in the referral procedure and enhance the efficiency of their actions?</p>		<p>interinstitutional cooperation agreement. Since 2019, the mechanism is laid down in the law.<sup>376</sup></p> <p>In 2017, the Minister of Education and Science approved a mechanism for countering bullying and violence in schools and an algorithm for its implementation. The mechanism aims to improve the cooperation between teachers, parents, children’s general practitioners and child protection bodies.<sup>377</sup></p>
<p>4.3.7. Is it likely that procedures will differ, depending on the migration – residential status of the child concerned? <i>Please also consider potential</i></p>	<p><b>X</b></p>	<p>The Child Protection Act (<i>Закон за закрила на детето</i>) prohibits any restrictions of rights or privileges based on race, nationality, ethnicity, gender, origin, property, religion, education and belief, or disability.<sup>378</sup></p>

*сдружение на общините в Република България*) (2010), Cooperation and Coordination Agreement on the Work of the Territorial Structures of Child Protection Authorities in Cases of Children Victims of Violence or at Risk of Violence and in Case of a Crisis Intervention (*Споразумение за сътрудничество и координиране на работата на териториалните структури на органите за закрила на детето при случаи на деца, жертви на насилуе или в риск от насилуе и при кризисна интервенция*), Annex 1: Obligations of the protection authorities at central and local level and the other entities involved under this Coordination Mechanism for interaction in cases of children victims or at risk of violence and for interaction in crisis intervention (*Приложение 1: Задължения на органите за закрила на централно и местно ниво и останалите ангажирани субекти по настоящия Координационен механизъм за взаимодействие при работа в случаи на деца, жертви или в риск от насилуе и за взаимодействие при кризисна интервенция*), Annex 2a Multidisciplinary mechanism for interaction in case of a report of a child victim of violence or at risk of violence (*Приложение 2a: Мултидисциплинарен механизъм за взаимодействие при сигнал за дете, жертва на насилуе или в риск от насилуе*), Annex 2b Crisis intervention procedure (*Процедура при кризисна интервенция*), 15 March 2010.

<sup>376</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 36d.

<sup>377</sup> Bulgaria, Ministry of Education and Science (*Министерство на образованието и науката*), Mechanism to Counter Bullying and Violence in the Institutions of the Pre-School and School Education System (*Механизъм за противодействие на тормоза и насилуето в институциите в системата на предучилищното и училищното образование*), 28 December 2017.

<sup>378</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 10.

<p><i>divergences depending on main actors involved.</i></p>		<p>However, social assistance benefits are granted at the permanent address of the person in need.<sup>379</sup></p> <p>The principle of non-discrimination is also enshrined in the legislation governing the provision of social services. Any person who needs support to prevent and/or overcome social exclusion, to realise their rights or to improve their quality of life, regardless of their age, health, education, income, social and property status, is entitled to the right to social services. Every child shall have the right to social services that take into account their best interests, age, physical, health and mental condition, level of development and individual needs.<sup>380</sup> Specialised social services are provided upon referral by the Social Assistance Agency (SAA) (<i>Агенция за социално подпомагане, АСП</i>) at the permanent address of the person in need.<sup>381</sup></p>
<p>4.3.8. Are affected children heard as part of the procedures?</p> <p><u>If yes</u>, are the hearings child-sensitive and designed age-appropriately and in child-friendly language? Do children receive information and support by competent and trained professionals?</p>	<p>X</p>	<p>Children aged 10 years and over are heard in all administrative and judicial proceedings affecting their rights or interests unless their hearing would harm their interests. Children younger than 10 years can be heard depending on their maturity.<sup>382</sup> UNICEF points out that although the legislation recognises the children’s right to be heard, it does not sufficiently guarantee its exercise. Hearing a child over the age of ten is often left to the discretion of the individual experts involved.<sup>383</sup> There is no analysis of the existing practices of hearing children.</p> <p>The law obliges the relevant court or administrative body to make sure that before the</p>

<sup>379</sup> Bulgaria, Rules on for the Implementation of the Social Assistance Act (*Правилник за прилагане на Закона за социално подпомагане*), 5 November 1998, last amended 3 August 2022, Art. 8.

<sup>380</sup> Bulgaria, Social Services Act (*Закон за социалните услуги*), 22 March 2019, last amended 30 December 2022, Art. 7.

<sup>381</sup> Bulgaria, Rules on the Implementation of the Social Services Act (*Правилник за прилагане на Закона за социалните услуги*), 9 November 2020, Art. 3.

<sup>382</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 15.

<sup>383</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p. 43.

		<p>hearing the child is provided with all the information necessary to form their personal opinion and that they are informed on the consequences of their decisions. Children should be heard in an age-appropriate setting and have the right to be accompanied by a caregiver or another close person. A social worker from the Social Assistance Directorate (SAD) (<i>Дирекция „Социално подпомагане“, ДСП</i>) at the child's current address and, if necessary, another appropriate specialist must be present at the hearing of the child.<sup>384</sup></p> <p>In some places in Bulgaria there are child-friendly premises called “blue rooms” (<i>„синя стая“</i>). These are inspired by the Barnahus Model and involve face-to-face questioning by a psychologist in a child-friendly room while justice or child protection officials and parents stay behind a one-way mirror. The rooms are equipped with audio and video recording equipment and recordings can be subsequently used in court.<sup>385</sup> Although child protection NGOs advocate for blue rooms' wider use across the country,<sup>386</sup> public authorities are not obliged to use them for interviewing children and their use depends on the decision of the body conducting the interview.<sup>387</sup> There is no publicly available official information on the number of blue rooms across the country as they are opened under different projects and run by different stakeholders (NGOs, public authorities, municipalities). UNICEF also provides financial support for the operation of Child Advocacy Centres in three Bulgarian cities (Sofia, Shumen and Montana), which, in addition to providing such blue rooms, also apply an integrated approach for supporting child victims and</p>
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<sup>384</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 15.

<sup>385</sup> For example, see a [news article about opening such a room at the Sofia City Prosecutor's Office](#).

<sup>386</sup> For more information, see the [PROMISE Barnahus website](#).

<sup>387</sup> Bulgaria, Penal Procedure Code (*Наказателно-процесуален кодекс*), 28 October 2005, last amended 5 August 2022, Art. 140.

		witnesses of violence and their families in line with the Barnahus model. <sup>388</sup>
<p>4.3.9. Are there mental health support services available for affected children?</p> <p><u>If yes</u>, how are services working together? How is it ensured that the child is informed and can make use of these services?</p>	<b>X</b>	<p>Mental health support is available as part of the social services “Crisis Centre”. It includes psychological counseling together with a number of other activities for crisis intervention.<sup>389</sup></p> <p>NGOs such as Animus Association and Cedar Foundation also offer mental health support to children. However, the support offered by NGOs is not funded by the state and is outside the scope of activities of child protection authorities.</p> <p>Planning and implementing measures to support the physical and psychological recovery and social reintegration of child victims of violence, neglect, exploitation or abuse is among the priorities of the National Programme for the Prevention of Child Violence and Abuse 2023-2026 (<i>Национална програма за превенция на насилието и злоупотреба с деца 2023 – 2026 г.</i>).<sup>390</sup> However, the programme was only recently adopted and is yet to be implemented in practice.</p>
<p>4.3.10. What are the main challenges and gaps in the referral and investigation highlighted by relevant authorities, child protection, and civil society organisations? Briefly describe.</p>		
<p>There are several major gaps and challenges in the referral and investigation procedures.</p> <p>The discrepancies in the data on violence against children collected by the Social Assistance Agency (SAA) (<i>Агенция за социално подпомагане, АСП</i>) and the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>) show the need for more precise and clear indicators and a uniform data collection methodology in order to plan adequate policies based on</p>		

<sup>388</sup> Haarr, Robin N. (2020), *Evaluation of Child Advocacy Centres Supported by UNICEF Bulgaria*, Sofia, UNICEF Bulgaria, July 2020.

<sup>389</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2023), Letter to the Center for the Study of Democracy, 13 March 2023.

<sup>390</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Programme for the Prevention of Child Violence and Abuse 2023-2026 (*Национална програма за превенция на насилието и злоупотреба с деца 2023 – 2026 г.*), 23 January 2023.

reliable and comparable data. There is also a need for improving the SACP's National Information System and for ongoing training of data collection and information systems experts.<sup>391</sup>

The monitoring reports on the implementation of the coordination mechanism in cases of violence against children repeatedly outline the poor communication between the authorities that are obliged to provide experts for the joint intervention teams, the difficulties in setting up such teams, and the insufficient involvement of experts from authorities that are not obliged by law to participate in these teams, particularly healthcare specialists.<sup>392</sup>

There are no standard operating procedures on how to hear children, take their views into account and assess their best interests. This is left to the goodwill of social workers.<sup>393</sup>

There is a lack of specialised services in response to violence against children. Service providers, particularly those who do not operate as state-delegated activities, are not recognised by the state and are not involved in the child protection mechanism. Shortage of child psychiatry specialists to meet the needs of the large number of children who require such support.<sup>394</sup>

#### 4.4. Placement decisions – care orders

##### 4.4.1. Following the investigation and assessment of the child's situation, who is responsible to decide upon issuing a care order/decision and the placement of the child in alternative care?

The court is responsible for the decision to place a child outside the family. Until the court delivers its decisions, the child can be temporarily placed outside the family by a decision of the local Social Assistance Directorate (SAD) (*Дирекция „Социално подпомагане“, ДСП*).

The local Social Assistance Directorate (SAD) (*Дирекция „Социално подпомагане“, ДСП*), the prosecutor and the child's parents are entitled to apply to the regional court and request the

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<sup>391</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Programme for the Prevention of Child Violence and Abuse 2023-2026 (*Национална програма за превенция на насилието и злоупотреба с деца 2023 – 2026 г.*), 23 January 2023.

<sup>392</sup> For example, see Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2022), Monitoring the implementation of the Violence Coordination Mechanism – 2021 (*Мониторинг на прилагането на Координационния механизъм при насилие – 2021 г.*), 17 August 2022, p. 14.

<sup>393</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021.

<sup>394</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Programme for the Prevention of Child Violence and Abuse 2023-2026 (*Национална програма за превенция на насилието и злоупотреба с деца 2023 – 2026 г.*), 23 January 2023, p. 46.

placement of the child in alternative care outside the family.<sup>395</sup> When the court decides to place the child outside the family, it should consider the available options in the order listed in the law unless it contradicts the best interest of the child: (1) family of relatives or close friends, (2) foster family, (3) residential community-based social service or institution.<sup>396</sup>

The temporary placement of a child in the family of relatives or close friends, foster family, residential community-based social service or institution is done by an administrative order issued by the director of the respective local Social Assistance Directorate (SAD) (*Дирекция „Социално подпомагане“*, ДСП) according to the child’s current address.<sup>397</sup> The order must be confirmed by the regional court within one month.<sup>398</sup> It can also be appealed by the child’s parents before the administrative court.<sup>399</sup>

Question	Yes	No	Comments
<p>4.4.2. Are there legislative and or regulatory provisions clearly stating the criteria that should be taken into consideration in the assessment of the situation and in the decision-making process?</p> <p>Are there provisions specifying the criteria that should be considered when deciding to remove the child from its family? Are the principles of necessity and appropriateness considered?</p>	<p><b>X</b></p>		<p>A child might be placed outside the family: when their parents are dead, unknown, deprived of parental rights or their parental rights have been limited; when the caregivers do not take care of the child for a long period of time without a valid reason; when the caregivers are in permanent impossibility to raise the child and the child is a victim of violence in the family or there is a serious risk of harm of the child’s physical, mental, moral, intellectual or social development; in cases of Art. 11 of the Hague Convention; when the parents have given their permission or have refused to withdraw the child from participating in a TV/radio broadcasts that endanger their physical, mental, moral and social development. Placement outside the family should be applied as a protection measure only after all other options for protection in the family have been exhausted, unless the placement outside the family is a matter of</p>

<sup>395</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 26(2).

<sup>396</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 28(4).

<sup>397</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 26.

<sup>398</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 26.

<sup>399</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 26.

		emergency. <sup>400</sup> Unless it contradicts to the best interest of the child, the court is obliged to consider the available options in the order listed in the law: (1) family of relatives or close friends, (2) foster family, (3) residential community-based social service or institution. <sup>401</sup>
<p>4.4.3. Are there provisions requiring that the views of the child should be taken into consideration in the decision-making process?</p> <p><u>If yes</u>, please specify if this is mandatory or left to the discretion of the responsible authorities, and if there are age-related requirements.</p>	X	<p>Children aged 10 years and over are heard in all administrative and judicial proceedings affecting their rights or interests unless their hearing would harm their interests. Children younger than 10 years can be heard depending on their maturity.<sup>402</sup> The judicial or administrative authority should motivate their decision to hear or not a child. They should also make sure the children have all the information necessary to form their opinion and are informed about the consequences of the wishes or opinion they express. Hearings should take place in an age-appropriate setting, but the law does not define any criteria for such settings. A social worker is present at the hearing as well as other specialists if needed. The social worker can also represent the child. The court can allow the presence of caregivers or other people the child knows if that would not contradict the child's interest. There is no data about how often children younger than ten are heard in such proceedings, however, NGOs recommend children to be heard more often. Another recommendation urges the adoption of uniform criteria for cases where hearing would be appropriate.<sup>403</sup></p> <p>The Child Protection Act (<i>Закон за закрила на детето</i>) provides for the protection of children based on their best interests. The child's best interest is defined as an assessment of: the child's wishes and feelings; their physical, mental and</p>

<sup>400</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 25(2).

<sup>401</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 28(4).

<sup>402</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 15.

<sup>403</sup> National Network for Children (*Национална мрежа за децата*) (2021), Gradebook 2021: What is the average score of the State in child care? (*Бележник 2021: Какъв е средният успех на държавата в грижата за децата?*), 13 May 2021, p. 53.

			emotional needs; their age, gender, past and other characteristics; the danger for the child or the damage that has been or can be caused to the child; the ability of the parents to take care of the child; the consequences for the child in case of change of circumstances change; and any other circumstances relevant to the child. <sup>404</sup>
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#### 4.5. Types of care with focus on alternative care

Types of care existing in the country	Yes	No	Who is offering such services? (State, regional, local authorities, civil society, religious institutions)	Please make differences between the different types of care explicit
Foster care	X		<p>The municipalities, the local Social Assistance Directorates (SAD) (<i>Дирекция „Социално подпомагане“</i>, ДСП), and private legal persons licensed by the Quality of Social Services Agency (QSSA) (<i>Агенция за качеството на социалните услуги</i>, АКСУ) can offer foster care in Bulgaria as a state-funded social service. Thus, the SADs can be at the same time foster care providers and child protection bodies.<sup>405</sup></p> <p>All service providers may conduct the recruitment, assessment and basic training of potential foster carers.<sup>406</sup> Foster care applications are assessed and approved or rejected by a special Foster Care Commission with the respective Regional Social Assistance Directorate (RSAD) (<i>Регионална дирекция „Социално подпомагане“</i>, РДСП). Foster Care Commissions are comprised of at least one child protection expert from the RSAD, the Head of the local Child</p>	

<sup>404</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 15(1) and §5(1) of the additional provisions.

<sup>405</sup> Bulgaria, Social Assistance Agency (*Агенция за социално подпомагане*), State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2013), Methodology for the conditions and procedure for providing the social service “Foster care” (*Методология за условията и начина за предоставяне на социалната услуга „Приемна грижа“*), 20 June 2013.

<sup>406</sup> Bulgaria, Regulation on the conditions and procedure for application, selection and approval of foster families and placement of children in such families (*Наредба за условията и реда за кандидатстване, подбор и утвърждаване на приемни семейства и настаняване на деца в тях*), 4 December 2006, last amended 10 May 2019, Art. 6 – Art. 9.

		<p>Protection Unit (CPU) (<i>Отдел „Закрила на детето“</i>, ОЗД) at the place of residence of the applicants, one psychologist and one foster parent.<sup>407</sup> After the application is approved, the child is placed in foster care by the Social Assistance Directorate (SAD) (<i>Дирекция „Социално подпомагане“</i>, ДСП) and the care is monitored by social workers from the SAD and from the service provider.</p> <p>Besides foster care, there is a separate protection measure for accommodating children outside the family to live with the family of relatives or other close persons.<sup>408</sup> This measure, known as “informal foster care”,<sup>409</sup> is applied following the same procedures as the other accommodation measures. The respective local SAD examines these families’ suitability and they should declare before the court their consent to take care of the child.<sup>410</sup> As of December 2022, a total of 4,157 children were living in such families.<sup>411</sup></p> <p>Families of relatives, which are taking care of a child as a protection measure under the Child Protection Act (<i>Закон за закрива на детето</i>), can apply to be foster families only for other children that they are not related to. Close persons, who are taking care of a child as a protection measure under the Child Protection Act (<i>Закон за закрива на детето</i>) can apply to become foster parents of the same child.<sup>412</sup></p>
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<sup>407</sup> Bulgaria, Regulation on the conditions and procedure for application, selection and approval of foster families and placement of children in such families (*Наредба за условията и реда за кандидатстване, подбор и утвърждаване на приемни семейства и настаняване на деца в тях*), 4 December 2006, last amended 10 May 2019, Art. 5a.

<sup>408</sup> Bulgaria, Child Protection Act (*Закон за закрива на детето*), 13 June 2000, last amended 5 August 2022, Art. 4.

<sup>409</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021.

<sup>410</sup> Bulgaria, Child Protection Act (*Закон за закрива на детето*), 13 June 2000, last amended 5 August 2022, Art. 27.

<sup>411</sup> Bulgaria, State Agency for Child Protection (*Агенция за закрива на детето*) (2023), Letter to the Center for the Study of Democracy, 13 March 2023.

<sup>412</sup> Bulgaria, Social Assistance Agency (*Агенция за социално подпомагане*), State Agency for Child Protection (*Държавна агенция за закрива на детето*) (2013), Methodology for the conditions and procedure for providing the social service “Foster care” (*Методология за условията и начина за предоставяне на социалната услуга „Приемна грижа“*), 20 June 2013.

			When parents of children with permanent disabilities, foster families and families of relatives or close persons taking care of a child as a protection measure are temporarily not able to provide the care, they can apply for the so-called substitute care. Substitute care can be used for up to 30 days during the year. <sup>413</sup> Applications for substitute care can be submitted when the caregiver suffers from a disease, for personal reasons; when the caregiver or the foster family needs some personal time, when the caregiver is participating in training, support groups, etc. <sup>414</sup>
Residential – institutional care	X		As of 30 December 2020, all municipal institutions for children and children with disabilities were closed and the children were transferred to other services. <sup>415</sup> The institutions implementing the process, known as deinstitutionalisation of children, assessed it as the most large-scale reform in Bulgaria’s social sphere in terms of results. <sup>416</sup> It also enjoyed significant public support. <sup>417</sup> In the view of the majority of the involved stakeholders, it achieved its main goal - to close the old-type institutions and offer the children living there better living conditions in the community. <sup>418</sup> NGOs and other stakeholders, however, outlined many challenges mostly related to the operation of the new family-type accommodation centres which reproduced the institutional setting and did not respond to the quality recommendations of the European Parliament resolution on children’s rights on the occasion of the 30th

<sup>413</sup> Bulgaria, Social Services Act (*Закон за социалните услуги*), 22 March 2019, Art. 92.

<sup>414</sup> Bulgaria, Rules on the Implementation of the Social Services Act (*Правилник за прилагане на закона за социалните услуги*), 17 November 2020, Chapter Two, Section V.

<sup>415</sup> Bulgaria, Social Assistance Agency (*Агенция за социално подпомагане*) (2023), Annual Activity Report of the Social Assistance Agency for 2022 (*Отчет за дейността на Агенция за социално подпомагане за 2022 г.*), 14 March 2023.

<sup>416</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Updated Action Plan for the Implementation of the National Strategy "Vision for the Deinstitutionalization of Children in the Republic of Bulgaria" (*Актуализиран план за действие за изпълнение на Националната стратегия „Визия за деинституционализацията на децата в Република България“*), 13 October 2016, p. 4.

<sup>417</sup> Alpha Research (2019), The deinstitutionalisation of children in Bulgaria - a view from outside and inside (*Деинституционализацията на децата в България - поглед отвън и отвътре*), January 2019.

<sup>418</sup> Alpha Research (2019), The deinstitutionalisation of children in Bulgaria – a view from outside and inside (*Деинституционализацията на децата в България - поглед отвън и отвътре*), January 2019.

		<p>anniversary of the UN Convention on the Rights of the Child.<sup>419</sup> According to a report by civil society organisations: “The results clearly show that for people for whom the DI represents a programme to deliver a set of planned project outcomes, it is successful and complete. For people for whom guaranteeing the rights of children (including the provision of opportunities for full development and protection from violence), parents and professionals are the framework through which deinstitutionalisation is evaluated, it is a failure.”<sup>420</sup></p> <p>Still, the Ministry of Healthcare (MH) (<i>Министерство на здравеопазването</i>, МЗ) operates four Homes for Medico-Social Care for Children (HMSCC) (<i>Домове за медико-социални грижи за деца</i>, ДМСГД) with a total capacity for 450 children. These facilities are medical facilities for children with chronic diseases and medico-social problems.<sup>421</sup> According to the plan for deinstitutionalisation these facilities should have been closed by the end of 2020, but due to the lack of alternative care for the children accommodated in them they are still operating.<sup>422</sup></p> <p>There are also Correctional Boarding Schools (CBS) (<i>Възпитателни училища-интернати</i>, ВУИ) and Social Educational Boarding Schools (SEBS) (<i>Социално-педагогически интернати</i>, СПИ) managed by the Ministry of Education and Science (MES) (<i>Министерство на образованието и науката</i>, МОН). As of January</p>
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<sup>419</sup> National Network for Children (*Национална мрежа за децата*) (2022), *Gradebook 2022: What is the average score of the State in child care? (Бележник 2022: Какъв е средният успех на държавата в грижата за децата?)*, 11 May 2022, p. 33.

<sup>420</sup> Know-How Centre for Alternative Child Care, New Bulgarian University (Ной-хау център за алтернативни грижи за деца, Нов Български Университет) (2022), *Bulgarian Deinstitutionalisation - Failure or Success? Results of a national study of the process conducted in the period 2020-2021 (Българската деинституционализация – провал или успех? Резултати от национално изследване на процеса, проведено в периода 2020-2021)*, 19 April 2022.

<sup>421</sup> For more information about the Homes for Medico-Social Care for Children, see the [website](#) of the Ministry of Health.

<sup>422</sup> National Network for Children (*Национална мрежа за децата*) (2022), *Gradebook 2022: What is the average score of the State in child care? (Бележник 2022: Какъв е средният успех на държавата в грижата за децата?)*, 11 May 2022; Bulgaria, National Statistical Institute (*Национален статистически институт*) (2023), *Homes for medico-social care for children*, 22 February 2023.

		<p>2022,<sup>423</sup> there were two Correctional Boarding Schools (CBS) (<i>Възпитателни училища-интернати</i>, ВУИ) and one Social Educational Boarding Schools (SEBS) (<i>Социално-педагогически интернати</i>, СПИ). These facilities accommodate children who have committed a crime or another antisocial act and for whom the other rehabilitation measures were not successful. Children are placed in these facilities by a decision of the regional court as a corrective measure pursuant to the Combating Anti-Social Behaviour of Minors and Juveniles Act (<i>Закон за борба с противообществените прояви на малолетните и непълнолетните</i>).<sup>424</sup> Children above the age of 14, who are sentenced to imprisonment for less than one year, can also be placed by the court in Correctional Boarding Schools (CBS) (<i>Възпитателни училища-интернати</i>, ВУИ).<sup>425</sup></p>
Other forms of family-based or family-like care placements	X	<p>There are several other forms of residential care for children, which are funded by the as delegated activities.</p> <p>The service Crisis Centre for Children (<i>Кризисен център за деца</i>) is a package of social services for child victims of violence, trafficking or other forms of exploitation. Children can reside in a crisis centre for a period of up to six months. The services provided by the crisis centres include individual support, meeting the child’s daily needs, legal counselling and social-psychological assistance when immediate intervention is required, including through mobile crisis intervention teams.<sup>426</sup> For security reasons the locations of these centres is not public.<sup>427</sup></p> <p>The service Mother and Baby Unit (<i>Звено „Майка и бебе“</i>) provides temporary accommodation for up to six months to pregnant women and mothers at risk of abandoning their children. It promotes parental attachment, and supports</p>

<sup>423</sup> Bulgarian Helsinki Committee (*Български хелзинкски комитет*) (2022) Human Rights in Bulgaria in 2021 (*Правата на човека в България през 2021 г.*), Sofia, Bulgarian Helsinki Committee, 18 April 2022.

<sup>424</sup> Bulgaria, Combating Anti-Social Behaviour of Minors and Juveniles Act (*Закон за борба с противообществените прояви на малолетните и непълнолетните*), 15 March 1958, last amended 27 December 2019, Art. 13.

<sup>425</sup> Bulgaria, Criminal Code (*Наказателен кодекс*), 2 April 1968, last amended 31 January 2023, Art. 64.

<sup>426</sup> For more information about the different social services, see the register of state-funded social services on the [website](#) of the Social Assistance Agency.

<sup>427</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2023), Letter to the Center for the Study of Democracy, 13 March 2023.

		<p>young mothers through social, psychological and legal counselling and support.<sup>428</sup></p> <p>The service Family-Type Accommodation Centre (<i>Център за настаняване от семеен тип</i>) can be specialised for children with or without disabilities. There are also family-type accommodation centres for children with disabilities in need of permanent medical care. These services represent group houses for up to 15 persons. They may be used in combination with other social, health, educational and other services.<sup>429</sup> During the deinstitutionalisation process, Family-Type Accommodation Centres were used for accommodating the children from the closed institutions, who could not be placed in a family (biological, informal or foster). In terms of priority, Family-Type Accommodation Centres are the last option of social services when selecting alternative care.</p>
Supervised independent living arrangements for children	X	<p>The service Transitional House (<i>Преходно жилище</i>)<sup>430</sup> is a form of social service for children at risk aged from 15 to 18 year. Transitional houses provide accommodation for up to eight children as a measure for child protection. Accommodated children receive support by specialists to acquire knowledge and practical skills for leading a relatively independent life and inclusion in the life of the community.</p> <p>The service Supervised House (<i>Наблюдавано жилище</i>)<sup>431</sup> is a form of social service for adults with disabilities or persons aged 18 to 25 who were previously placed outside the family according to the Child Protection Act (<i>Закон за закрила на детето</i>). It provides accommodation and conditions for independent living. The persons are supported by specialists outside the service through psychological, social, legal and employment counselling. The capacity of the supervised houses is for up to six persons.</p>

<sup>428</sup> For more information about the different social services, see the register of state-funded social services on the [website](#) of the Social Assistance Agency.

<sup>429</sup> For more information about the different social services, see the register of state-funded social services on the [website](#) of the Social Assistance Agency.

<sup>430</sup> For more information about the different social services, see the register of state-funded social services on the [website](#) of the Social Assistance Agency.

<sup>431</sup> For more information about the different social services, see the register of state-funded social services on the [website](#) of the Social Assistance Agency.

Question	Yes	No	Comments
4.5.1. Is there data available on the number of children in care (disaggregated by type of care, gender/age, length of placement, etc)?	X		<p>According to NGOs, as of the beginning of 2022, some 9,000 children in Bulgaria lived outside their biological families.<sup>432</sup></p> <p>As of December 2022, 4,157 children were living with relatives or close persons. Of them, 913 (50 aged between 0 and 7 years, 548 aged between 7 and 14 years, and 315 aged between 14 and 20 years if still studying) were accommodated in such families by an administrative decision for temporary accommodation and 3,244 (68 aged between 0 and 7 years, 1,621 aged between 7 and 14, and 1,555 aged between 14 and 20 if still studying) by a court decision.<sup>433</sup></p> <p>As of December 2022, 1,674 children were living with 1,593 professional foster families. Of them, 113 children (28 aged up to 7 years; 65 aged between 7 and 14 years, and 19 aged between 14 and 20 years if still studying) lived in families contracted by the local Social Assistance Directorates (SAD) (<i>Дирекция „Социално подпомагане“</i>, ДСП) and 1,561 children (473 aged up to 7 years; 835 aged between 7 and 14 years, and 253 aged between 14 and 20 years if still studying) lived in professional foster families contracted by municipalities.<sup>434</sup></p> <p>As of end 2022, there were no children living in voluntary foster families (their number was seven in 2017 and 2018, two in 2019, three in 2020, and one in 2021).<sup>435</sup></p> <p>As of 31 December 2022, a total of 2,992 children lived in 303 residential social services.<sup>436</sup> In 2021, on a monthly basis, the number of children living in residential social</p>

<sup>432</sup> Bulgarian Helsinki Committee (*Български хелзинкски комитет*) (2022) Human Rights in Bulgaria in 2021 (*Правата на човека в България през 2021 г.*), Sofia, Bulgarian Helsinki Committee, 18 April 2022.

<sup>433</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2023), Letter to the Center for the Study of Democracy, 13 March 2023.

<sup>434</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2023), Letter to the Center for the Study of Democracy, 13 March 2023.

<sup>435</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2023), Letter to the Center for the Study of Democracy, 13 March 2023.

<sup>436</sup> Bulgaria, Social Assistance Agency (*Агенция за социално подпомагане*) (2023), Annual Activity Report of the Social Assistance Agency for 2022 (*Отчет за дейността на Агенция за социално подпомагане за 2022 г.*), 14 March 2023

		<p>service for children ranged between 1,421 (in January) and 1,344 (in August).<sup>437</sup></p> <p>In 2022, 368 children were placed in homes for medico-social care for children. As of 31 December 2022, 221 children lived in such homes (124 boys and 97 girls). Of them, 51 were up to the age of one year; 22 were aged between one and two years; 32 between two and three years and 116 over 3 years of age.<sup>438</sup></p> <p>As of January, 2022, a total of 98 children were placed in Correctional Boarding Schools (CBS) (<i>Възпитателни училища-интернати, ВУИ</i>) and Social Educational Boarding Schools (SEBS) (<i>Социално-педагогически интернати, СПИ</i>). Of them, 59 boys aged between 12 and 18 years resided in the CBS located the village of Rakitovo, 14 girls aged between 14 and 18 years resided in the CBS in the village of Podem. The CEBS in the village of Varnentsi hosted 25 boys aged between 11 and 16 years.<sup>439</sup></p> <p>In total, as of 2022, 9,142 children in Bulgaria live in any form of care. Of these:</p> <ul style="list-style-type: none"> <li>• 4,157 children (118 aged 0-7 years; 2,169 aged 7-14 years; 1,879 aged 14-20 years if still studying) live with relatives or close people;</li> <li>• 1,674 children (501 aged 0-7 years; 900 aged 7-14 years; 272 aged 14-20 years if still studying) live with professional foster families;</li> <li>• 2,992 children live in residential social services;</li> <li>• 221 children (51 aged 0-1 year; 22 aged 1-2 years; 32 aged 2-3 years and 116 - over 3 years) live in Homes for medico-social care for children;</li> <li>• 73 children aged 12-18 years live in Correctional Boarding Schools as of January 2021;</li> </ul>
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<sup>437</sup> Bulgaria, Quality of Social Services Agency (*Агенция за качеството на социалните услуги*) (2022), Annual analysis of the status and effectiveness of social services in 2021 (*Годишен анализ за състоянието и ефективността на социалните услуги през 2021 г.*), 5 August 2022, p. 46.

<sup>438</sup> Bulgaria, National Statistical Institute (*Национален статистически институт*) (2023), *Homes for medico-social care for children*, 22 February 2023.

<sup>439</sup> Bulgarian Helsinki Committee (*Български хелзинкски комитет*) (2022) Human Rights in Bulgaria in 2021 (*Правата на човека в България през 2021 г.*), Sofia, Bulgarian Helsinki Committee, 18 April 2022.

			<ul style="list-style-type: none"> <li>25 children aged 11-16 years live in Social Educational Boarding Schools as of January 2021.</li> </ul> <p>In addition, in 2022, 372 children (13 with disabilities and 359 without disabilities) were adopted by Bulgarian families.<sup>440</sup></p>
4.5.2. Is there data available on the number of children placed in alternative care that disappeared and/or went missing from residential care institutions?		X	<p>Statistical data is available only on the total number of children who were referred to the so-called “child pedagogic rooms” for having run away from home, special institution or from residential type of social service. In 2021, the number of such children was 883 including 359 boys and 524 girls.<sup>441</sup></p>
4.5.3. Is there a <u>national</u> registry of foster care families?  How many children can be fostered in one family?	X		<p>The Regional Social Assistance Directorates (RSAD) (<i>Регионална дирекция „Социално подпомагане“</i>, РДСП) keep registers of the approved foster families.<sup>442</sup></p> <p>As of 31 December 2022, there were 1,892 approved foster families in Bulgaria including nine voluntary and 1,883 professional families. A total of 1,593 children lived in professional foster families and none in voluntary foster families.<sup>443</sup></p>
4.5.4. How and by whom foster families are <u>recruited, vetted, and trained</u> ? Provide information on the legal framework and responsible authorities, recruitment requirements, selection criteria, reimbursement of costs, etc.			
<p>The recruitment, vetting and training of foster families is extensively regulated in the law and the methodology on provision of foster care. Foster care service providers (municipalities, local Social Assistance Directorates (SAD) (<i>Дирекция „Социално подпомагане“</i>, ДСП), or private legal entities licensed to provide such a service) are responsible for the recruitment, vetting and training of foster</p>			

<sup>440</sup> Bulgaria, Social Assistance Agency (*Агенция за социално подпомагане*) (2023), Annual Activity Report of the Social Assistance Agency for 2022 (*Отчет за дейността на Агенция за социално подпомагане за 2022 г.*), 14 March 2023.

<sup>441</sup> Bulgaria, National Statistical Institute (*Национален статистически институт*) (2022), *Children passed on to child pedagogic rooms for committed anti-social acts and children perpetrators of crimes in 2021 by statistical zones, statistical regions and by districts*, 22 August 2022.

<sup>442</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 31.

<sup>443</sup> For more information about the professional and voluntary foster families and the children accommodated in such families, see the [website](#) of the Social Assistance Agency.

families. They accept and evaluate applications from families wishing to become foster families.<sup>444</sup> The evaluation process includes at least four meetings with the applicants and the other members of their families; at least two visits to the home where the fostered child will be cared for; interviews with two referents who have provided written recommendations for the applicants; and basic training of at least 36 hours culminating in a report on the results of the training.<sup>445</sup> Professional foster carers receive additional training of at least 24 hours.<sup>446</sup> The evaluation should be completed within one month from the submission of the application, but this timeframe may be extended by two months for objective reasons concerning the applicants.<sup>447</sup> The evaluation takes into account the applicants' economic and financial capacity to ensure the normal personal development of the child, their personal qualities to care for the child and cooperate with social workers and the child's biological family, their understanding of the nature and role of foster care, and their motivation to provide such care.<sup>448</sup>

The evaluation concludes with a social report, which, together with the comments and objections made by the applicants, is presented to the Foster Care Commission. On the basis of this report, a hearing of the social worker who prepared it and, if necessary, a hearing of the applicants, the commission approves or rejects of the application. Within seven days from the issuance of the commission's decision the file is presented to the Director of the respective Regional Social Assistance Directorates (RSAD) (*Регионална дирекция „Социално подпомагане“*, РДСП).<sup>449</sup> Within 14 days from the presentation of the file the Director of the RSAD issues an order for the applicants'

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<sup>444</sup> Bulgaria, Regulation on the conditions and procedure for application, selection and approval of foster families and placement of children in such families (*Наредба за условията и реда за кандидатстване, подбор и утвърждаване на приемни семейства и настаняване на деца в тях*), 4 December 2006, last amended 10 May 2019, Art. 6 and Art. 9.

<sup>445</sup> Bulgaria, Regulation on the conditions and procedure for application, selection and approval of foster families and placement of children in such families (*Наредба за условията и реда за кандидатстване, подбор и утвърждаване на приемни семейства и настаняване на деца в тях*), 4 December 2006, last amended 10 May 2019, Art. 9(1) and Art. 9(2).

<sup>446</sup> Bulgaria, Regulation on the conditions and procedure for application, selection and approval of foster families and placement of children in such families (*Наредба за условията и реда за кандидатстване, подбор и утвърждаване на приемни семейства и настаняване на деца в тях*), 4 December 2006, last amended 10 May 2019, Art. 26(2).

<sup>447</sup> Bulgaria, Regulation on the conditions and procedure for application, selection and approval of foster families and placement of children in such families (*Наредба за условията и реда за кандидатстване, подбор и утвърждаване на приемни семейства и настаняване на деца в тях*), 4 December 2006, last amended 10 May 2019, Art. 9(3).

<sup>448</sup> Bulgaria, Regulation on the conditions and procedure for application, selection and approval of foster families and placement of children in such families (*Наредба за условията и реда за кандидатстване, подбор и утвърждаване на приемни семейства и настаняване на деца в тях*), 4 December 2006, last amended 10 May 2019, Art. 10.

<sup>449</sup> Bulgaria, Regulation on the conditions and procedure for application, selection and approval of foster families and placement of children in such families (*Наредба за условията и реда за кандидатстване, подбор и утвърждаване на приемни семейства и настаняване на деца в тях*), 4 December 2006, last amended 10 May 2019, Art. 11 and Art. 12.

registration or refusal of registration in the register of foster carers. The order can be appealed before the administrative court.

All foster families with fostered children are obliged to participate in trainings, organised by the providers of the social service.<sup>450</sup>

4.5.5. Are any types of care (foster homes, residential care, other form of care arrangements) monitored once children are placed therein? If so, provide information on the applicable legislative provisions on monitoring procedures. Please specify the difference between the monitoring of different types of care. How frequently are they monitored, how and by whom?

The quality standards for social services laid down in the legislation<sup>451</sup> require a three-step monitoring of all social services funded by the state as delegated services: (1) internal monitoring, (2) monitoring by the municipality, and (3) monitoring by the Quality of Social Services Agency (QSSA) (*Агенция за качеството на социалните услуги*, АКСУ). The Regulation on the Quality of Social Services (*Наредба за качеството на социалните услуги*)<sup>452</sup> governs in detail all monitoring activities concerning the quality of services, the licensing, the observation of users' rights, and the spending of public funds. The Quality of Social Services Agency (QSSA) (*Агенция за качеството на социалните услуги*, АКСУ) should inspect each service provider at least once in every two years.<sup>453</sup> In 2022, the agency carried out 808 inspections for checking the compliance of the quality of the services provided with the relevant standards. More than half of these inspections (52 %) were inspections of residential services.<sup>454</sup>

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<sup>450</sup> Bulgaria, Regulation on the conditions and procedure for application, selection and approval of foster families and placement of children in such families (*Наредба за условията и реда за кандидатстване, подбор и утвърждаване на приемни семейства и настаняване на деца в тях*), 4 December 2006, last amended 10 May 2019, Art. 23(2).

<sup>451</sup> Bulgaria, Social Services Act (*Закон за социалните услуги*), 22 March 2020, last amended 30 December 2022; Bulgaria, Rules on the Implementation of the Social Services Act (*Правилник за прилагане на Закона за социалните услуги*), 9 November 2020; Bulgaria, Regulation on the Quality of Social Services (*Наредба за качеството на социалните услуги*), 28 June 2022, last amended 1 July 2022.

<sup>452</sup> Bulgaria, Regulation on the Quality of Social Services (*Наредба за качеството на социалните услуги*), 28 June 2022, last amended 1 July 2022, Chapter Four.

<sup>453</sup> Bulgaria, Regulation on the Quality of Social Services (*Наредба за качеството на социалните услуги*), 28 June 2022, last amended 1 July 2022, Art. 37.

<sup>454</sup> Bulgaria, Quality of Social Services Agency (*Агенция за качеството на социалните услуги*) (2023), Annual Activity Report of the Quality of Social Services Agency in 2022 (*Доклад за дейността на Агенцията за качеството на социалните услуги през 2022 година*), 28 February 2023.

Foster care service providers, the local Social Assistance Directorates (SAD) (*Дирекция „Социално подпомагане“*, ДСП) and the social workers of the fostered children, monitor and support the foster family, including by visiting the family at least once a month (at least twice during the first month).<sup>455</sup>

The Ombudsman, including in its capacity of National Preventive Mechanism, monitors the places where persons are detained or otherwise accommodated by decision of a public authority without being able to leave of their own free will. This monitoring covers, among other places, the residential social services for children,<sup>456</sup> the Correctional Boarding Schools (CBS) (*Възпитателни училища-интернати*, ВУИ) and the Social Educational Boarding Schools (SEBS) (*Социално-педагогически интернати*, СПИ).

Question	Yes	No	Comments
4.5.6. Are children placed in foster care homes geographically <u>close to their biological families</u> , school, friends, and/or community?		<b>X</b>	<p>Neither the law, nor the methodological guidelines on foster care explicitly require the placement of children in foster families close to their biological families and community. The methodology for accommodation in foster care states that foster care is a protection measure and such its priority goal is to protect the child’s rights and interests and, if in compliance with the child’s interest, to support the links with their biological family in view of their future re-integration.<sup>457</sup></p> <p>The Social Assistance Directorates (SAD) (<i>Дирекция „Социално подпомагане“</i>, ДСП) select the most appropriate foster family for each child on a case-by-case basis. Nevertheless, a qualitative research confirms that practitioners follow the principle of providing foster care as close as possible to the child's usual environment. There are difficulties in finding foster families in municipalities where such families are not available or are not willing to take care</p>

<sup>455</sup> Bulgaria, Regulation on the conditions and procedure for application, selection and approval of foster families and placement of children in such families (*Наредба за условията и реда за кандидатстване, подбор и утвърждаване на приемни семейства и настаняване на деца в тях*), 4 December 2006, last amended 10 May 2019.

<sup>456</sup> For example, see Bulgaria, Ombudsman of the Republic of Bulgaria (*Омбудсман на Република България*) (2022), Report on the inspection of the National Preventive Mechanism and Children’s Rights Directorate to the family type accommodation centres for children without disabilities 1 and 2 in the village of Dren, Radomir Municipality (*Доклад за посещението на Националния превантивен механизъм и Дирекция „Права на детето“ в центрове за настаняване от семеен тип за деца без увреждания 1 и 2 – с. Дрен, община Радомир*), 28 June 2022.

<sup>457</sup> Bulgaria, Social Assistance Agency (*Агенция за социално подпомагане*), State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2013), Methodology for the conditions and procedure for providing the social service “Foster care” (*Методология за условията и начина за предоставяне на социалната услуга „Приемна грижа“*), 20 June 2013, p. 4.

			of a specific age group of children. It is particularly difficult to find foster families willing to take care of children aged 0-3 years so social workers have to turn to families in nearby localities. <sup>458</sup>
4.5.7. Is there a <u>national registry</u> of residential institutions for children?  If <u>yes</u> , please provide information regarding the existent number of residential institutions and their capacity (beds).	X		<p>As of February 2023, the number of residential social services for children is:</p> <ul style="list-style-type: none"> <li>• 20 crisis centres for children with a total capacity for 212 persons;</li> <li>• 262 family type accommodation centres for children and young people with a total capacity for 3,227 persons;</li> <li>• 12 mother and baby units with a total capacity for 75 persons;</li> <li>• 18 transitional houses with a total capacity for 142 persons; and</li> <li>• 18 supervised houses with a total capacity for 88 persons.<sup>459</sup></li> </ul> <p>As of 1 January 2020, there were two Correctional Boarding Schools (CBS) (<i>Възпитателни училища-интернати</i>, ВУИ) and one Social Educational Boarding School (SEBS) (<i>Социално-педагогически интернат</i>, СПИ) with a total capacity for 520 children.<sup>460</sup></p> <p>There are four Homes for Medico-Social Care for Children (HMSSC) (<i>Домове за медико-социални грижи за деца</i>, ДМСГД) with total capacity for 450 children.<sup>461</sup></p>

<sup>458</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Annex 1 Case studies (Анализ на системата за закрила на детето в България: Приложение 1 Описание и анализ на случаи)*, Sofia, UNICEF Bulgaria, 12 May 2021, pp. 15-16.

<sup>459</sup> For more information about the different social services and their capacity, see the register of state-funded social services on the [website](#) of the Social Assistance Agency.

<sup>460</sup> Bulgarian Helsinki Committee (*Български хелзинкски комитет*) (2022) *Human Rights in Bulgaria in 2021 (Правата на човека в България през 2021 г.)*, Sofia, Bulgarian Helsinki Committee, 18 April 2022.

<sup>461</sup> Bulgaria, National Statistical Institute (*Национален статистически институт*) (2023), [Homes for medico-social care for children](#), 22 February 2023. For more information about the capacity and location of the homes for medico-social care for children, see the [website](#) of the Ministry of Health.

<p>4.5.8. Are there <u>accreditation and licensing procedures</u> for residential institutions in place?</p> <p><u>If yes</u>, please provide information on the legislative framework, the responsible authority and procedure.</p>	<p><b>X</b></p>	<p>The Correctional Boarding Schools (CBS) (<i>Възпитателни училища-интернати</i>, ВУИ), the Social Educational Boarding School (SEBS) (<i>Социално-педагогически интернат</i>, СПИ), and the Homes for Medico-Social Care for Children (HMSCCs) (<i>Домове за медико-социални грижи за деца</i>, ДМСГД) are not subject to any accreditation and licensing procedures. These institutions are planned to be closed in the framework of the deinstitutionalisation process and the expected reform of juvenile justice.</p> <p>The Correctional Boarding Schools (CBS) (<i>Възпитателни училища-интернати</i>, ВУИ) and the Social Educational Boarding School (SEBS) (<i>Социално-педагогически интернат</i>, СПИ) are subordinated to the Ministry of Education and Science (MES) (<i>Министерство на образованието и науката</i>, МОН). They operate on the basis of special rules, which do not envisage any accreditation or licensing procedures.<sup>462</sup></p> <p>The Homes for Medico-Social Care for Children (HMSCCs) (<i>Домове за медико-социални грижи за деца</i>, ДМСГД) are subordinate to the Ministry of Health (MH) (<i>Министерство на здравеопазването</i>, МЗ) and also operate on the basis of special rules, which do not envisage any accreditation or licensing procedures.<sup>463</sup></p> <p>The Quality of Social Services Agency (QSSA) (<i>Агенция за качеството на социалните услуги</i>, АКСУ) licenses the residential social services (crisis centres, family-type accommodation centres, etc.) under the Social Services Act (<i>Закон за социалните услуги</i>)<sup>464</sup> according to the criteria laid down in the Regulation on the quality of social services (<i>Наредба за качеството на социалните услуги</i>).<sup>465</sup> Municipalities are not subject to licensing if they provide</p>
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<sup>462</sup> Bulgaria, Rules on the structure and activity of correctional boarding schools and social educational boarding schools (*Правилник за устройството и дейността на възпитателните училища интернати и социално-педагогическите интернати*), 1 September 2009, last amended 7 November 2019.

<sup>463</sup> Bulgaria, Rules on the structure and activity of the homes for medico-social care for children (*Правилник за устройството и дейността на домовете за медико-социални грижи за деца*), 16 June 2000, last amended 18 October 2016.

<sup>464</sup> Bulgaria, Social Services Act (*Закон за социалните услуги*), 22 March 2020, last amended 30 December 2022.

<sup>465</sup> Bulgaria, Regulation on the Quality of Social Services (*Наредба за качеството на социалните услуги*), 28 June 2022, last amended 1 July 2022, Annex 10 to Art. 11(1).

			the social services themselves. Municipal legal entities and private providers are licensed and licenses are valid for a period of up to 5 years. The licensing procedure is laid down in the Social Services Act ( <i>Закон за социалните услуги</i> ). <sup>466</sup>
4.5.9. Are there <u>national applicable standards</u> relating to the operational framework of such institutions (requirements or quality standards related to the personnel, the infrastructures, the living conditions, and daily care of children)?	X		<p>The Correctional Boarding Schools (CBS) (<i>Възпитателни училища-интернати</i>, ВУИ) and the Social Educational Boarding School (SEBS) (<i>Социално-педагогически интернат</i>, СПИ) operate on the basis of special rules adopted by the Ministry of Education and Science (MES) (<i>Министерство на образованието и науката</i>, МОН).<sup>467</sup></p> <p>The Ombudsman in its capacity of National Preventive Mechanism, as well as child rights organisations repeatedly highlight the need to permanently close these boarding schools and replace them with modern and effective measures for child offenders, including restorative justice and preventive work.<sup>468</sup></p> <p>The Homes for Medico-Social Care for Children (HMSCCs) (<i>Домове за медико-социални грижи за деца</i>, ДМСГД) operate under special rules adopted by the Ministry of Health (MH) (<i>Министерство на здравеопазването</i>, МЗ).<sup>469</sup></p> <p>The residential social services for children should comply with quality standards, which are specific to each type of service. The standards for all social services are laid down in the Regulation on the quality of social services (<i>Наредба за качеството на социалните услуги</i>).<sup>470</sup></p>

<sup>466</sup> Bulgaria, Social Services Act (*Закон за социалните услуги*), 22 March 2020, last amended 30 December 2022, Chapter Ten.

<sup>467</sup> Bulgaria, Rules on the structure and activity of correctional boarding schools and social educational boarding schools (*Правилник за устройството и дейността на възпитателните училища интернати и социално-педагогическите интернати*), 1 September 2009, last amended 7 November 2019.

<sup>468</sup> Bulgaria, Ombudsman of the Republic of Bulgaria (*Омбудсман на Република България*) (2022), Annual report of the Ombudsman on its activities as National Preventive Mechanism in 2021 (*Годишен доклад на Омбудсмана за дейността му като Национален превантивен механизъм през 2021 г.*), 20 February 2022, p. 19.

<sup>469</sup> Bulgaria, Rules on the structure and activity of the homes for medico-social care for children (*Правилник за устройството и дейността на домовете за медико-социални грижи за деца*), 16 June 2000, last amended 18 October 2016.

<sup>470</sup> Bulgaria, Regulation on the Quality of Social Services (*Наредба за качеството на социалните услуги*), 28 June 2022, last amended 1 July 2022, Annex 10 to Art. 11(1).

#### 4.5.10. How is the residential care staff recruited, vetted, and trained?

The staff of the Correctional Boarding Schools (CBS) (*Възпитателни училища-интернати, ВУИ*) and the Social Educational Boarding School (SEBS) (*Социално-педагогически интернат, СПИ*) are selected and appointed by the schools' directors in consultation, if necessary, with school's psychologist.<sup>471</sup> The same rules apply for all other schools in the scope of the Preschool and School Education Act (*Закон за предучилищното и училищното образование*).<sup>472</sup>

Residential social service providers are responsible to recruiting, vetting and training their staff in compliance with the standards laid down the Regulation on the quality of social services (*Наредба за качеството на социалните услуги*).<sup>473</sup> When applying for a job, residential care staff should present (1) a criminal record certificate, (2) a medical document, and (3) proof of relevant education. Candidates should possess certain skills such as (1) ability to work with children, families, persons from vulnerable groups, etc., (2) skills for timely and adequate reaction and decision-making in a situation of crisis, emotional conflict, implementation of crisis interventions, appropriate conduct when working with persons with aggressive/auto-aggressive behaviour, etc., and (3) good communication and teamwork skills both for working within the service and for participating in interinstitutional cooperation and interaction.

Social service providers are also responsible for the training of the residential care staff. The mandatory training includes (1) initial training of at least 36 academic hours, and (2) continuous training of at least 24 academic hours a year for specialised staff and 12 academic hours a year for support staff.<sup>474</sup>

Question	Yes	No	Comments
4.5.11. Are children placed in alternative care allowed to <u>lodge complaints</u> against the personnel /foster parents and care workers and report abuse or violations of their	X		Each social service provider (including foster care) should develop a complaint mechanism and inform the children about it in an accessible way. The drafting of such procedures is left to the discretion of individual service providers and procedures are generally not publicly available. According to the quality standards regulation, applicable to all state-funded social services, the providers should: 1) have such a procedure, 2) appoint a commission to consider complaints, 3) make sure staff members possess

<sup>471</sup> Bulgaria, Rules on the structure and activity of correctional boarding schools and social educational boarding schools (*Правилник за устройството и дейността на възпитателните училища интернати и социално-педагогическите интернати*), 1 September 2009, last amended 7 November 2019.

<sup>472</sup> Bulgaria, Preschool and School Education Act (*Закон за предучилищното и училищното образование*), 1 August 2016, last amended 2 February 2023.

<sup>473</sup> Bulgaria, Regulation on the Quality of Social Services (*Наредба за качеството на социалните услуги*), 28 June 2022, last amended 1 July 2022, Annex 10 to Art. 11(1).

<sup>474</sup> Bulgaria, Regulation on the Quality of Social Services (*Наредба за качеството на социалните услуги*), 28 June 2022, last amended 1 July 2022, Annex 10 to Art. 11(1).

<p>rights? Are these procedures child-friendly and respectful of confidentiality?</p> <p>If <u>yes</u>, briefly describe to whom and how children can lodge complaints.</p>		<p>knowledge about it, 4) make sure clients possess knowledge about it, and 5) keep a record of complaints.<sup>475</sup> Being a relatively new requirement (as of mid-2022) there is no reporting on how it is applied yet. As an example, in a Centre for Social Rehabilitation and Integration for Children and Youth with Disabilities in Veliko Tarnovo, the staff informs orally the children and their caregivers about the feedback and complaint procedures.<sup>476</sup> Both the complaint mechanism and the record should be made available to the Quality of Social Services Agency (QSSA) (<i>Агенция за качеството на социалните услуги, АКСУ</i>) during regular inspections and inspections in response to a signal.<sup>477</sup></p> <p>All other generally applicable mechanisms for reporting violations of rights and/or and abuse, including hotlines, are also accessible to children in alternative care.</p>
<p>4.5.12. What is the <u>assistance available to adolescents that leave alternative care</u> to live independently?</p> <p>(e.g. financial, housing, vocational, educational, employment, life skills, mental health services, social or emotional)?</p> <p>Briefly describe who is responsible for such assistance?</p>	<p>X</p>	<p>The updated action plan for the implementation of the national strategy on deinstitutionalisation of children<sup>478</sup> envisages two categories of support measures for children leaving alternative care. The first one is the setting up residential social services – family type accommodation centres (<i>център за настаняване от семеен тип</i>), transitional houses (<i>преходно жилище</i>) for children aged 15-18 years and supervised houses (<i>наблюдавано жилище</i>) for young people aged 18-25 years who were previously in alternative care. The second category of measures includes programmes for developing skills for independent living, learning and working, as well as for supporting adolescents’ personal development. These programmes are project-based and are mainly funded through the “Find me” (<i>„Открий ме“</i>) procedure of the EU-funded Human Resources Development Operational Programme.<sup>479</sup></p>

<sup>475</sup> Bulgaria, Regulation on the Quality of Social Services (*Наредба за качеството на социалните услуги*), 28 June 2022, last amended 1 July 2022, Annex 10 to Art. 11(1).

<sup>476</sup> For more information, see the [Centre’s profile](#) at a NGO website.

<sup>477</sup> Bulgaria, Regulation on the Quality of Social Services (*Наредба за качеството на социалните услуги*), 28 June 2022, last amended 1 July 2022, Annex 10 to Art. 11(1).

<sup>478</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Updated Action Plan for the Implementation of the National Strategy "Vision for the Deinstitutionalisation of Children in the Republic of Bulgaria" (*Актуализиран план за действие за изпълнение на Националната стратегия „Визия за деинституционализацията на децата в Република България“*), 13 October 2016.

<sup>479</sup> For more information, see the [website](#) of the Human Resources Development Operational Programme.

		<p>The Employment Encouragement Act (<i>Закон за насърчаване на заетостта</i>) envisages financial support for employers who hire young people up to the age of 29 who use residential social services.<sup>480</sup> If such a person finds a job through the local labour office and the workplace located more than 50 km away from where they live, they are entitled to transportation support for the first year of employment.<sup>481</sup> According to NGOs, however, between 2015 and 2018, there was a considerable decrease in the number of young people leaving alternative care who turned to the labour offices for assistance (from 44 in 2015 to 15 by mid-2018), and found a job using their services (from 53 in 2015 to 22 by mid-2018).<sup>482</sup></p> <p>Adolescents above the age of 18 years leaving alternative care can also apply for all generally available social benefits if they meet the specific eligibility criteria (e.g., low income).</p>
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4.5.13. What assistance is provided to families - while the child is placed to alternative care - to support the return of the child in the family? By whom? Who coordinates the assistance? Please briefly describe.

Policies recommend uninterrupted contact between the family and their children during the placement of the child in alternative care. There is no special assistance for families of children who are placed in long-term alternative care. When a child is placed in alternative care, the parents are also considered beneficiaries of the service together with their child.<sup>483</sup> The local Social Assistance Directorate (SAD) (*Дирекция „Социално подпомагане“*, ДСП) at the place where the parents live appoints a social worker who, in line with the developed action, provides family counselling and education on responsible parenting. Social workers may also apply measures provided for in the

<sup>480</sup> Bulgaria, Employment Encouragement Act (*Закон за насърчаване на заетостта*), 29 December 2001, last amended 3 June 2022, Art. 36.

<sup>481</sup> Bulgaria, Employment Encouragement Act (*Закон за насърчаване на заетостта*), 29 December 2001, last amended 3 June 2022, Art. 42.

<sup>482</sup> SOS Children's Villages Bulgaria (*SOS Детски селища България*) (2019), From care to independence: rights and needs of young people leaving alternative care in Bulgaria (*От грижа към самостоятелност: права и потребности на младежите, напускащи и напуснали алтернативна грижа в България*), Sofia, SOS Children's Villages Bulgaria, May 2019.

<sup>483</sup> Bulgaria, Regulation on the conditions and procedure for application, selection and approval of foster families and placement of children in such families (*Наредба за условията и реда за кандидатстване, подбор и утвърждаване на приемни семейства и настаняване на деца в тях*), 4 December 2006, last amended 10 May 2019.

regulation on preventing child abandonment.<sup>484</sup> Apart from that, families can receive one-off or monthly financial assistance as a means of preventing child abandonment.<sup>485</sup> Families with an average income per person lower than five times the guaranteed minimum income are eligible for monthly assistance. One-off assistance of up to 10 times the guaranteed minimum income can be allocated up to four times a year for meeting unexpected expenses of the child.<sup>486</sup> Currently, the general minimum income stands at BGN 75 (approximately €38).

<p>4.5.14. Is any <u>assistance provided to children and families upon return of the child in the family?</u> Briefly describe. Who is responsible for such assistance?</p> <p>Is there any monitoring and follow-up of such cases?</p> <p>Who is coordinating assistance and support?</p>	<p><b>X</b></p>	<p>After the child returns to the family, the child's social worker supports both the child and the family for a period specified in the developed social action plan.<sup>487</sup> The specific nature of this support is not legally defined. The social worker is also obliged to monitor the child's reintegration for six months after their return in order to make sure there is no risk of repeated accommodation to alternative care.<sup>488</sup></p>
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<sup>484</sup> Bulgaria, Regulation on the conditions and procedures for the implementation of measures to prevent the abandonment of children and their placement in institutions, as well as for their reintegration (*Наредба за условията и реда за осъществяване на мерки за предотвратяване на изоставянето на деца и настаняването им в институции, както и за тяхната реинтеграция*), 22 August 2003, last amended 7 May 2019.

<sup>485</sup> Bulgaria, Rules on the Implementation of the Child Protection Act (*Правилник за прилагане на Закона за закрила на детето*), 27 July 2003, last amended 8 January 2021, Art. 46-48.

<sup>486</sup> Bulgaria, Rules on the Implementation of the Child Protection Act (*Правилник за прилагане на Закона за закрила на детето*), 27 July 2003, last amended 8 January 2021.

<sup>487</sup> Bulgaria, Regulation on the conditions and procedures for the implementation of measures to prevent the abandonment of children and their placement in institutions, as well as for their reintegration (*Наредба за условията и реда за осъществяване на мерки за предотвратяване на изоставянето на деца и настаняването им в институции, както и за тяхната реинтеграция*), 22 August 2003, last amended 7 May 2019, Art. 23.

<sup>488</sup> Bulgaria, Regulation on the conditions and procedures for the implementation of measures to prevent the abandonment of children and their placement in institutions, as well as for their reintegration (*Наредба за условията и реда за осъществяване на мерки за предотвратяване на изоставянето на деца и настаняването им в институции, както и за тяхната реинтеграция*), 22 August 2003, last amended 7 May 2019.

<p>4.5.15. Are decisions of placement in alternative care reviewed?</p> <p>If <u>yes</u>, please provide the applicable legislative provisions. How frequently is this done? By whom?</p> <p>Are the children's views taken into consideration?</p>	<p><b>X</b></p>	<p>Placement decisions are issued by the court and are not subject to mandatory periodic review. According to the Child Protection Act (<i>Закон за закрила на детето</i>) all court decisions imposing child protection measures, including placement in alternative care, should determine the duration of their implementation.<sup>489</sup> Measures can be reviewed and changed by the court at the request of the parents, the local Social Assistance Directorate (SAD) (<i>Дирекция „Социално подпомагане“</i>, ДСП), or the prosecutor.</p> <p>The child's social worker, together with the parents, the child and, if appropriate, other stakeholders, reviews the social action plan at least once in three months.<sup>490</sup> Children are always consulted when reviewing their social action plan if they are aged ten years and over. Younger children's views are considered in accordance with their maturity.<sup>491</sup></p>
<p>4.5.16. Is there a <u>legal framework regarding adoption</u>? Briefly describe the core elements and responsible authorities, also considering differences between within-country and between-country adoptions. Is private adoption permitted in the country?</p>		
<p>Adoption in Bulgaria is regulated by the Family Code (<i>Семеен кодекс</i>).<sup>492</sup> Adoption can be full (<i>пълно</i>) or simple (<i>непълно</i>). Simple adoption is an adoption where the rights and obligations between the adopted child (and their descendants) with their biological relatives are preserved.<sup>493</sup> Second-parent adoption is also permitted for married couples. Second-parent adoption as defined as an adoption where a spouse adopts the child of the other spouse. The rights and obligations between the adopted</p>		

<sup>489</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 28.

<sup>490</sup> Bulgaria, Regulation on the conditions and procedures for the implementation of measures to prevent the abandonment of children and their placement in institutions, as well as for their reintegration (*Наредба за условията и реда за осъществяване на мерки за предотвратяване на изоставянето на деца и настаняването им в институции, както и за тяхната реинтеграция*), 22 August 2003, last amended 7 May 2019, Art. 22.

<sup>491</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*), Social Assistance Agency (*Агенция за социално подпомагане*), Methodology for case management for the protection of a child at risk by Child Protection Units (*Методика за управление на случай за закрила на дете в риск от отдел „Закрила на детето“*), 27 April 2021.

<sup>492</sup> Bulgaria, Family Code (*Семеен кодекс*), 1 October 2009, last amended 4 December 2020, Chapter Eight.

<sup>493</sup> Bulgaria, Family Code (*Семеен кодекс*), 1 October 2009, last amended 4 December 2020, Art. 102.

child (and their decedents), on one hand, and the parent and the parent's relatives, on the other, are preserved.<sup>494</sup>

All people (individuals and married couples), who are eligible and want to adopt a child have to submit an application to the Social Assistance Agency (SAA) (*Агенция за социално подпомагане*, АСП) in order to be registered in a registry of adoptive parents. If their application is approved, they are registered for a period of two years.<sup>495</sup> Same-sex marriages are not legally recognised in Bulgaria so each partner in such couples can apply to adopt a child individually similarly to all couples that are not married.<sup>496</sup> There is no provision on how the disclosure of such a partnership can affect the applicant's approval. Available research reports about one such case in Bulgaria where a couple unofficially approached the relevant officials to ask if they should disclose their partnership in an adoption procedure and were advised to keep it secret.<sup>497</sup> The same practice applies to international adoptions.

The SAA maintains a national electronic information system of children who can be fully adopted.<sup>498</sup> Within one month after a child is entered in the system, the Adoption Council (*Съвет по осиновяване*) selects suitable adopters for the child. The Adoption Council (*Съвет по осиновяване*) is a multidisciplinary body within the Regional Social Assistance Directorates (RSAD) (*Регионална дирекция „Социално подпомагане“*, РДСП). Subsequently, the Regional Social Assistance Directorates (RSAD) (*Регионална дирекция „Социално подпомагане“*, РДСП) inform the selected adopters, who have one month to file a request for adoption. Requests for adoption are submitted to the district court through the respective Regional Social Assistance Directorate (RSAD) (*Регионална дирекция „Социално подпомагане“*, РДСП). The court examines the request in an open hearing behind closed doors within 14 days of receiving the request.<sup>499</sup> The decision of the district court may be appealed before the appellate court whose decision is final.<sup>500</sup>

Private adoption in Bulgaria is not allowed.

Children for whom the options for within-country adoption are exhausted, are included in a registry of children who can be adopted by people living permanently abroad. The Ministry of Justice (MoJ) (*Министерство на правосъдието*, МП) is responsible for maintaining this register, together with a register of candidates for adoptive parents who live abroad, a register of potential adoptive parents who live in Bulgaria and want to adopt a child living abroad, and a public registry of licensed adoption agencies.<sup>501</sup> A Council for International Adoptions (*Съвет по международно осиновяване*) at the Ministry of Justice (MoJ) (*Министерство на правосъдието*, МП) selects the candidates that are suitable for international adoption. The selected candidates are presented to the Minister of Justice

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<sup>494</sup> Bulgaria, Family Code (*Семеен кодекс*), 1 October 2009, last amended 4 December 2020, Art. 103.

<sup>495</sup> Bulgaria, Family Code (*Семеен кодекс*), 1 October 2009, last amended 4 December 2020, Art. 87.

<sup>496</sup> Bulgaria, Family Code (*Семеен кодекс*), 1 October 2009, last amended 4 December 2020, Art. 81.

<sup>497</sup> Filipova, G. and Pisankaneva, M. (2017), *Rainbow Families in Bulgaria*, Sofia, Bilitis Foundation, 2017, pp. 22-24.

<sup>498</sup> Bulgaria, Family Code (*Семеен кодекс*), 1 October 2009, last amended 4 December 2020, Art. 83

<sup>499</sup> Bulgaria, Family Code (*Семеен кодекс*), 1 October 2009, last amended 4 December 2020, Art. 97.

<sup>500</sup> Bulgaria, Family Code (*Семеен кодекс*), 1 October 2009, last amended 4 December 2020, Art. 98.

<sup>501</sup> Bulgaria, Family Code (*Семеен кодекс*), 1 October 2009, last amended 4 December 2020, Art. 113.

who should approve them and forward the case to the Sofia City Court (SCC) (*Софийски градски съд*, СГС), which is the only court in the country authorized to issue international adoption decisions.<sup>502</sup>

4.5.17. What are the main challenges encountered and gaps at the policy and legislative level in relation to alternative care? *Please consider available studies reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.*

The continuing deinstitutionalisation and the recent reform in the provision of social services have not been evaluated yet, but some concerns emerge in relation to both the delayed closure of institutions and the quality of the residential services supposed to replace them. The delay of the deinstitutionalisation leads to a need of new needs assessments of the children living in institutions as the current assessments date back to 2020. Furthermore, the new standards for the provision of social services still envisage combined residential services for children and young people with disabilities that cannot fully guarantee individualised approach for their support. The measures supporting young people to live independently, such as housing arrangements, are scarce. As a result, many young people remain blocked in social services.<sup>503</sup> Due to the lack of reforms in the area of juvenile justice, there is no progress towards closing the institutions for children who have committed a crime or another antisocial act.<sup>504</sup>

Foster care becomes less popular with the number of families applying to become foster families falling from 406 in 2016 to 98 in 2021. By end 2022, foster care remains project-based and primarily funded by EU funds. There are no campaigns for promoting foster care and recruiting new foster parents and there is no profiled foster care.<sup>505</sup> In many cases, the reintegration of children into their biological families is not permanent and is not always based on the best interests of the child as biological and foster families live in different localities and are subject to different integration measures.<sup>506</sup>

In terms of adoption, there is still no legal base regulating the access to information on biological families. There is conflicting case-law in this regard.

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<sup>502</sup> Bulgaria, Family Code (*Семеен кодекс*), 1 October 2009, last amended 4 December 2020, Art. 117.

<sup>503</sup> National Network for Children (*Национална мрежа за децата*) (2022), *Gradebook 2022: What is the average score of the State in child care? (Бележник 2022: Какъв е средният успех на държавата в грижата за децата?)*, 11 May 2022, p. 33.

<sup>504</sup> Bulgaria, Ombudsman of the Republic of Bulgaria (*Омбудсман на Република България*) (2022), Annual report of the Ombudsman on its activities as National Preventive Mechanism in 2021 (*Годишен доклад на Омбудсмана за дейността му като Национален превантивен механизъм през 2021 г.*), 20 February 2022.

<sup>505</sup> National Network for Children (*Национална мрежа за децата*) (2022), *Gradebook 2022: What is the average score of the State in child care? (Бележник 2022: Какъв е средният успех на държавата в грижата за децата?)*, 11 May 2022, p. 35.

<sup>506</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021.

In terms of general support and prevention, although generally accessible services for families, which are not at-risk, exist in the legal framework, in practice there is little to no information on referral and self-referral to such services.<sup>507</sup> The structure for coordinating the implementation of the policy on alternative care focuses on abandonment rather than on preventing child-parent the separation.<sup>508</sup>

#### 4.6. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection care system in the past 8 years, incl. achievements and (persisting) gaps and challenges

Bulgaria implemented a radical reform in the social protection sector, starting with the social protection of children. A set of primary and secondary legislation was adopted to introduce a new type of inclusion-oriented social services with rights-oriented quality standards.<sup>509</sup> As a result of the deinstitutionalisation process, since 2010, the number of children in institutions has been reduced by 97 %. The old institutions were replaced by a newly built nationwide infrastructure of support services. By the end of 2021, 68 % of children in alternative care lived with relatives or foster families, which is twice the share of children living in residential services. Still, the family-type accommodation centres do not fulfil the recommendations of the UNGA 2019 Resolution on the Rights of the Child.<sup>510</sup>

About half of the children at risk do not return to their biological families. In 2021, only 44 % of the reintegration cases were successful.<sup>511</sup> The implementation of the Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (*План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030*) is expected to target most vulnerable groups of children and families offering measures for prevention of family separations.

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<sup>507</sup> National Network for Children (*Национална мрежа за децата*) (2022), *Gradebook 2022: What is the average score of the State in child care? (Бележник 2022: Какъв е средният успех на държавата в грижата за децата?)*, 11 May 2022.

<sup>508</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021.

<sup>509</sup> Bulgaria, Social Services Act (*Закон за социалните услуги*), 22 March 2020, last amended 30 December 2022; Bulgaria, Rules on the Implementation of the Social Services Act (*Правилник за прилагане на Закона за социалните услуги*), 9 November 2020; Bulgaria, Regulation on the Quality of Social Services (*Наредба за качеството на социалните услуги*), 28 June 2022, last amended 1 July 2022.

<sup>510</sup> Bulgarian Helsinki Committee (*Български хелзинкски комитет*) (2022) Human Rights in Bulgaria in 2021 (*Правата на човека в България през 2021 г.*), Sofia, Bulgarian Helsinki Committee, 18 April 2022, p. 139.

<sup>511</sup> Bulgarian Helsinki Committee (*Български хелзинкски комитет*) (2022) Human Rights in Bulgaria in 2021 (*Правата на човека в България през 2021 г.*), Sofia, Bulgarian Helsinki Committee, 18 April 2022, p. 140.

The number of adopted children and the number of foster families steadily decreases<sup>512</sup> suggesting gaps in the policy and practice in both their promotion as alternative care and their planning, organisation, and analysis.<sup>513</sup>

#### 4.7. Promising practices

Please list and briefly describe any promising practice in the child protection care system that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

In 2020, SOS Children's Villages Bulgaria (*SOS Детски селища България*) started the implementation of the project "Pathways to Freedom: Empowering young people from alternative care to live independently and fully".<sup>514</sup> The project aims to empower 210 young people leaving various forms of alternative care to start an independent life successfully. The project provides a new and innovative service called "Support for Independent Living". The young people get an individualised package of support activities and services helping them to pursue further education, sustainable employment, regular income, secure housing, good health and responsibility for their well-being. The service is structured according to the specific needs and wishes of the young people. Needs are assessed by a team of experts, and include specialist advice, resources for qualification courses and other measures. The project's direct beneficiaries are young people aged 16-29, including members of ethnic minorities, leaving alternative care.

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<sup>512</sup> Bulgarian Helsinki Committee (*Български хелзинкски комитет*) (2022) Human Rights in Bulgaria in 2021 (*Правата на човека в България през 2021 г.*), Sofia, Bulgarian Helsinki Committee, 18 April 2022, p. 140.

<sup>513</sup> National Network for Children (*Национална мрежа за децата*) (2022), *Gradebook 2022: What is the average score of the State in child care? (Бележник 2022: Какъв е средният успех на държавата в грижата за децата?)*, 11 May 2022.

<sup>514</sup> For more information, see the project [website](#).

## 5. Accountability, data collection, and monitoring mechanisms

### 5.1. Accountability mechanisms

5.1.1. Are there accountability mechanisms in place regarding the functioning of the child protection system? Is there any independent monitoring or reporting mechanisms on the performance of the child protection system? What is the role of child’s ombudspersons, child commissioners or other independent national human rights institutions in monitoring child protection?

In addition to being the primary institution responsible for the implementation of the public policy on child protection, the State Agency for Child Protection (SACP) (*Държавна агенция за закрила на детето, ДАЗД*) is also authorised by law to monitor and analyse the implementation of this policy.<sup>515</sup> The agency exercises supervision over the operation of the main components of the child protection system, including all public, municipal and private schools, kindergartens and nurseries, centres for support of personal development, medical institutions, social assistance directorates, providers of social services for children, and non-profit legal entities working in the field of child protection. The supervision is exercised through carrying out inspections and giving binding instructions in the event of an infringement.<sup>516</sup> The annual activity report of the SACP submitted each year to the government includes a section summarising the results of the previous year’s monitoring activities.<sup>517</sup>

In Bulgaria, there is no children’s ombudsperson, children’s commissioner or other independent children’s rights institution. The two national human rights institutions – the Ombudsman and the Commission for Protection against Discrimination (CPD) (*Комисия за защита от дискриминация, КЗД*) – are both responsible for child protection within the limits of their core functions and powers.

The mandate of the Ombudsman includes, among other functions, the protection of children’s rights.<sup>518</sup> There is a separate directorate for children’s rights in the Ombudsman’s administration, which deals with complaints and conducts inspections in cases related to children’s rights. The Ombudsman also serves as National Preventive Mechanism under the Optional Protocol to the United Nations Convention against Torture and as such is authorised to inspect all places of detention, including detention of children.<sup>519</sup> The Ombudsman’s annual report includes a chapter on children’s

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<sup>515</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 17a.

<sup>516</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 17a.

<sup>517</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2022), Report on the activities of the State Agency for Child Protection in 2021 (*Доклад за дейността на Държавната агенция за закрила на детето през 2021 г.*), 28 February 2022, pp. 18-32.

<sup>518</sup> Bulgaria, Ombudsman Act (*Закон за омбудсмана*), 23 May 2003, last amended 2 February 2023, Art. 19.

<sup>519</sup> Bulgaria, Ombudsman Act (*Закон за омбудсмана*), 23 May 2003, last amended 2 February 2023, Art. 28a.

rights, which reviews the main issues related to child protection identified by the institution in the previous year.<sup>520</sup>

5.1.2. How is the implementation of national action plans and strategies or other policy actions on child protection monitored? Briefly describe the established procedures and mention the actors involved and their roles.

Since 2018, when the last adopted child strategy expired, Bulgaria has no single national strategy or action plan on child protection. After the government withdrew the draft new strategy in 2019, the practice of adopting annual child protection programmes and reports on their implementation, which had been applied consistently under the previous strategy, was discontinued.<sup>521</sup> The withdrawn draft strategy envisaged that the State Agency for Child Protection (SACP) (*Държавна агенция за закрила на детето, ДАЗД*), in coordination with all relevant public institutions, civil society organisations, international organisations and academia, would establish a monitoring mechanism to periodically evaluate the implementation of the strategy. Two independent external impact assessments – one mid-term and one after the end of the implementation period – were also foreseen.<sup>522</sup> However, in the absence of an adopted strategy, no further steps have been taken on any of these monitoring measures.

In the absence of a national child protection strategy, the main national action plan on child protection is the national implementation plan for the European Child Guarantee. The plan envisages the setting up of a permanent expert working group responsible for the coordination and monitoring of the measures and activities included in the document. It includes representatives of all relevant institutions and organisations, including from the civil sector and academia, and is chaired by the national coordinator for the European Child Guarantee. The permanent expert group is expected to produce biannual progress reports summarising the results of the action plan's implementation.<sup>523</sup>

Question	YES	NO	Comments
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<sup>520</sup> Bulgaria, Ombudsman of the Republic of Bulgaria (*Омбудсман на Република България*) (2023), Annual report on the activities of the Ombudsman of the Republic of Bulgaria in 2022 (*Годишен доклад за дейността на омбудсмана на Република България през 2022 г.*), 31 March 2023.

<sup>521</sup> For the annual child protection programmes adopted under the previous child strategy (2008-2018) and the reports for their implementation, see the governmental portal for public consultations [Strategy.bg](http://Strategy.bg).

<sup>522</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Draft National Strategy for the Child 2019-2030 (*Проект на Национална стратегия за детето 2019-2020 г.*), 10 January 2019. For more information about the withdrawal of the draft see Markov, D., Doichinova, M. and Todorova R. (2022), *Novel approaches to generating data on hard-to-reach populations at risk of violation of their rights: Thematic report on children*, Sofia, National Statistical Institute, p. 9.

<sup>523</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (*План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030*), 9 November 2022.

<p>5.1.3. Is there a child rights assessment existing or foreseen? Please note that child rights' assessment stands for the measurement of the impact of proposed or adopted legislation on children as a group. It is usually done at the parliamentary or ministerial level.</p>		<p><b>X</b></p>	<p>In Bulgaria, a child rights assessment in the sense of measuring the impact of proposed or adopted legislation on children as a group does not exist. What comes closest to such an assessment is the legal provision authorising the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>) to participate in the development of draft legislation in the area of child protection.<sup>524</sup> The annual activity report of the SACP submitted each year to the government includes an overview of all draft laws on which the SACP gave an opinion during the previous year.<sup>525</sup></p>
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5.1.4. Are there quality standards for child protection services set in the legislation (including prevention programmes)? (e.g. number of cases per case workers, requirements regarding infrastructures of residential care and number of personnel, performance, and fiscal accountability mechanisms) Please describe.

In Bulgaria, there are detailed quality standards for the social services for children funded by the state. The standards are laid down in a regulation adopted by the government.<sup>526</sup> For each type of social service, there is a list of standards on its management, organisation of activities, place of delivery, living conditions, security and safety, confidentiality, community relations, financing, number and qualification of staff, case management, health and nutrition, education, etc. For each standard the regulation defines a set of specific criteria and indicators for its implementation.<sup>527</sup>

Question	YES	NO	Comments
<p>5.1.5. Is consultation with children and families foreseen and/or taking place in the process of the evaluation of services and measures and in the development of child</p>	<p><b>X</b></p>		<p>Consultations with children in the development of child protection policies and legislation can be conducted through the Children's Council (<i>Съвет на децата</i>) with the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>). The council consists of 33 children and is the only permanently operating child participation mechanism. One of the council's tasks is to provide</p>

<sup>524</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 17a.

<sup>525</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2022), Report on the activities of the State Agency for Child Protection in 2021 (*Доклад за дейността на Държавната агенция за закрила на детето през 2021 г.*), 28 February 2022, pp. 18-32.

<sup>526</sup> Bulgaria, Regulation on the Quality of Social Services (*Наредба за качеството на социалните услуги*), 28 June 2022, last amended 1 July 2022.

<sup>527</sup> Bulgaria, Regulation on the Quality of Social Services (*Наредба за качеството на социалните услуги*), 28 June 2022, last amended 1 July 2022, Annex 1 – Annex 25.

<p>protection policies and legislation?</p> <p>If yes, at what level is this done? Please provide indicative examples.</p>		<p>opinion on the development and implementation child protection and child development strategies, policies and programmes.<sup>528</sup> So far, however, the Children’s Council has not been consulted in relation to the development of child protection policies or legislation, but in relation to other issues concerning child rights. Thus, for example, in 2022, the Children’s Council discussed UNICEF’s national campaign in support of mental health of children and adolescents “Beyond smiles. How are you really?”, the results of the survey “The right to choose in children’s lives in Bulgaria”, the social campaign “Protect the Child on the Internet” of a Bulgarian private insurance company, issues related to the organisation of the learning process, the curricula, student-teacher relationships, the school environment, etc.<sup>529</sup></p> <p>Consultations with families can be conducted through the main coordination mechanism for developing and implementing policies and legislation in the area of child protection – the National Council for Child Protection (NCCP) (<i>Национален съвет за закрила на детето</i>, НСЗД). The tasks of the NCCP include, <i>inter alia</i>, proposing, discussing and coordinating the strategic priorities of the child protection policies, and giving preliminary opinions on draft legislation related to children’s rights.<sup>530</sup> By law, all draft legal acts containing provisions related to children's rights must be submitted to the government after a preliminary opinion of the NCCP.<sup>531</sup> However, for the past five years, the NCCP has not provided such opinions.<sup>532</sup></p> <p>The council consists of representatives of public authorities and up to twelve civil society</p>
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<sup>528</sup> Bulgaria, Statute of the Children’s Council with the Chairperson of the State Agency for Child Protection (*Устав на Съвета на децата към председателя на ДАЗД*), September 2019, Art. 8.

<sup>529</sup> For more information on the issues consulted with the Children’s Council, see the records from the council’s meetings on the [website](#) of the State Agency for Child Protection.

<sup>530</sup> Bulgaria, Rules on the Structure, Organisation and Activities of the National Council for Child Protection (*Правилник за структурата, организацията и дейността на Националния съвет за закрила на детето*), 26 December 2006, last amended 12 July 2013, Art. 2.

<sup>531</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 18(2).

<sup>532</sup> For the issues discussed by the National Council for Child Protection in the past five years, see the council meeting summaries on the [website](#) of the State Agency for Child Protection.

		<p>organisations selected every two years through an open selection procedure.<sup>533</sup> The current composition of the council includes several organisations of families and parents such as Parents Association (<i>Асоциация „Родители“</i>) and the National Network for Children (NNC) (<i>Национална мрежа за децата</i>, НМД).<sup>534</sup> The NCCP can be consulted either in the framework of its regular meetings or through its thematic working groups.<sup>535</sup></p> <p>Consultations with families can also be conducted through the general mechanisms for public consultation on policies and legislation. The main such channel is the governmental public consultation portal Strategy.bg. The portal aims to foster cooperation between citizens, business and non-governmental organisations and experts in public institutions in policy formulation and law development. Drafts of policy documents and legislation on child protection are regularly consulted through the portal.<sup>536</sup> Draft laws are published for public consultation on the website of the parliament. Public institutions, private entities and individuals can submit their statements directly to the parliament.<sup>537</sup> Individual ministries and other public authorities also publish draft policies and regulations on their websites for public consultation.<sup>538</sup></p>
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<sup>533</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 18. For the selection procedure for appointing representatives of civil society organisations see Bulgaria, Rules on the Structure, Organisation and Activities of the National Council for Child Protection (*Правилник за структурата, организацията и дейността на Националния съвет за закрила на детето*), 26 December 2006, last amended 12 July 2013, Art. 8.

<sup>534</sup> For the current composition of the National Council for Child Protection, see the [website](#) of the State Agency for Child Protection.

<sup>535</sup> For more information about the composition and activities of the thematic working groups of the National Council for Child Protection (NCCP) (*Национален съвет за закрила на детето*, НСЗД), see the [website](#) of the State Agency for Child Protection.

<sup>536</sup> For example, see the statements and opinions submitted during the public consultation on the draft for a new national child strategy on the [website](#) of the public consultation portal.

<sup>537</sup> For example, see the statements and opinions submitted during the public consultation on the recent amendments to the Child Protection Act on the [website](#) of the parliament.

<sup>538</sup> For example, see the public consultation sections on the [website](#) of the Ministry of Labour and Social Policy and the [website](#) of the Ministry of Education and Science.

<p>5.1.6. Is the responsibility for data collection on child protection determined in the legislative framework?</p>	<p><b>X</b></p>	<p>The responsibility for data collection on child protection is determined in the Child Protection Act (<i>Закон за закрила на детето</i>). The responsible institution is the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>), which is obliged by law to maintain a national information system with data on children at risk and children with outstanding gifts, data from the registers maintained by the regional social assistance directorates, information about civil society organisations working on child protection programmes, data on out-of-school children, and other data relevant for child protection.<sup>539</sup></p>
<p>5.1.7. Is there a single authority responsible for monitoring data collection and centralised coordination and data sharing at national level?</p> <p><u>If yes</u>, Is there a national database (a joint database for monitoring and tracking children) for collecting data in the child protection area at the national, regional, or local level?</p>	<p><b>X</b></p>	<p>The authority responsible for the centralised coordination of data collection is the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>).<sup>540</sup> According to the legislation, the SACP should maintain a national information system with child protection data.<sup>541</sup> The system should be organised on three information levels: municipal, regional and national. Data entry at the municipal level should be carried out by the local social assistance directorates (each social assistance directorate is responsible for entering data for the municipalities). Data entry at the regional level should be carried out by the regional social assistance directorates. At the national level, the public authority responsible for the maintenance, administration and coordination of the system is the chairperson of the SACP.<sup>542</sup> At present, however, such information system is not operational.<sup>543</sup></p>

<sup>539</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 17a.

<sup>540</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 17a.

<sup>541</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 17a.

<sup>542</sup> Bulgaria, Rules on the Implementation of the Child Protection Act (*Правилник за прилагане на Закона за закрила на детето*), 25 July 2003, last amended 8 January 2022, Art. 65 and Art. 66.

<sup>543</sup> In September 2023, outside the reference period of the present report, the State Agency for Child Protection (SACP) (*Държавна агенция за закрила на детето, ДАЗД*) started implementing the project Effective Policies for All Children (*Ефективни политики за всички деца*) funded by the Operational Programme Human Resources Development 2021-2027 (*Оперативна програма*

		<p>The data collected by the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>) are disaggregated mainly by sex and age. Other criteria for disaggregation, such as social group or risk factors, are not applied. Overall, the data collection is not based on uniform criteria and comparable indicators, which significantly limits the possibilities for analysis and use of the collected data.<sup>544</sup></p> <p>In March 2023, the Managing Authority of the Human Resources Development Programme opened for applications the measure "Capacity Building of Child Protection Systems". The specific beneficiary of the procedure is the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>). The aim of the measure is to improve the situation and quality of life of children in Bulgaria by comprehensively upgrading and optimising the coordination and monitoring of policies for children, as well as enhancing the qualifications and competences of those working in the field of policies for children. The procedure is co-financed by the European Union, with a budget of BGN 5.3 million, of which over BGN 4.4 million from the European Social Fund+ and nearly BGN 858 thousand national co-financing. In addition to training, supervision, methodological support and provision of crisis intervention, the measure explicitly allows for upgrading the National Information System of the</p>
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*„Развитие на човешките ресурси“ 2021-2027*). One of the activities under the project is the creation and implementation of a National Information System for collecting and processing data related to children. For more information, see Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2023), 'The State Agency for Child Protection starts the implementation of the project "Effective Policies for All Children" under the Human Resources Development Programme 2021-2027' (*Държавната агенция за закрила на детето започва изпълнението на проект „Ефективни политики за всички деца“ по Програма „Развитие на човешките ресурси“ 2021-2027 г.*), press release, 4 August 2023.

<sup>544</sup> Kerankova, E. (2021), 'Signal registration and case monitoring of child abuse in the eyes of experts' (*Регистрирането на сигнали и проследяване на случаи на насилие над деца през погледа на експерти*), *Educational and Social Studies (Педагогически и социални изследвания)*, vol. 1, pp. 35-48.

			SACP and developing a platform for monitoring the implementation of coordination mechanisms. <sup>545</sup>
5.1.8. Are there common indicators in place to monitor the performance of the child protection system?		X	In Bulgaria, there are no common indicators for monitoring the performance of the child protection system as such. There are indicators for monitoring the implementation of individual strategies and programmes such as the national implementation plan for the European Child Guarantee <sup>546</sup> and the national programme for the prevention of violence against children. <sup>547</sup>
5.1.9. Are there data protection protocols in place and adhered to?		X	<p>The Child Protection Act (<i>Закон за закрила на детето</i>) prohibits the disclosure of information and data about children without the consent of their parents or legal representatives. In cases where a protection measure has been taken in relation to a child, information and data about the child may not be disclosed without the written consent of the protection authority which imposed the measure. Where the child has attained the age of 14 years, their consent to the disclosure is also mandatory.<sup>548</sup></p> <p>Furthermore, the law forbids the disclosure of information obtained in administrative or judicial proceedings concerning the child without the consent of the parents or legal representatives and, if the child is over 10 years of age, without their consent. The court may authorise the use of such information without the consent of the persons concerned only if the interests of the child so require and in order to take measures for their protection.</p>

<sup>545</sup> Operational Programme “Human Resources Development” (*Оперативна програма „Развитие на човешките ресурси“*) (2023), BG05SFPR002-2.004: Capacity Building of Child Protection Systems (*BG05SFPR002-2.004: Надграждане на капацитета на системите за закрила на детето*), 1 March 2023.

<sup>546</sup> Bulgaria, Council of Ministers (*Министерски съвет*), Action plan implementing Council Recommendation (EU) 2021/1004 establishing a European Child Guarantee 2030 (*План за действие в изпълнение на Препоръка (ЕС) 2021/1004 на Съвета за създаване на Европейска гаранция за детето 2030*), 9 November 2022.

<sup>547</sup> Bulgaria, Council of Ministers (*Министерски съвет*), National Programme for the Prevention of Child Violence and Abuse 2023 – 2026 (*Национална програма за превенция на насилието и злоупотребата с деца 2023 – 2026 г.*), 23 January 2023.

<sup>548</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 11a.

		<p>Social workers and officials are also obliged to comply with the legal requirements for the protection of personal data which have come to their knowledge in the course of or in connection with the implementation of child protection measures, as well as to respect the honour and dignity of the individual.<sup>549</sup></p> <p>In addition to the confidentiality rules laid down in the Child Protection Act (<i>Закон за закрила на детето</i>) and the provisions of the general data protection legislation, each child protection authority has its own transparency and data protection policy governing the rules and procedures for collecting, storing, processing and disclosing personal data.<sup>550</sup></p>
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5.1.10. Are there any gaps in the data collection system related to child protection in the country, which have been identified by relevant child protection authorities/institutions, civil society organisations or other institutions active in the child protection field? Is there a systematic and consistent collection of data related to child protection at national, regional, or local level? Please mention if efforts are made to address these gaps.

According to UNICEF Bulgaria, the national information system administered by the State Agency for Child Protection (SACP) (*Държавна агенция за закрила на детето, ДАЗД*) still heavily relies on paper work and is not technologically built to allow for a proper follow-up of individual cases. This is also valid for the integrated information system of the Social Assistance Agency (SAA) (*Агенция за социално подпомагане, АСП*), which holds all child protection case files.<sup>551</sup> Besides, the two systems do not communicate with each other and the exchange of information between the two main child protection authorities is still paper-based.<sup>552</sup> To overcome this deficiency UNICEF Bulgaria recommends further development of the system to enable it to effectively manage cases, monitor and oversee social workers, monitor the work of child protection directorates, manage information and knowledge needed for decision making and public accountability, and integrate with other systems.<sup>553</sup>

<sup>549</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 16.

<sup>550</sup> For example, see Bulgaria, State Agency for Child Protection (*Агенция за закрила на детето*) (2018), Transparency Policy (*Политика за прозрачност*), 25 July 2018.

<sup>551</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p. 122.

<sup>552</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p. 56.

<sup>553</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p. 122.

NGOs also highlight the persisting problems of data collection on child protection. According to the National Network for Children (NNC) (*Национална мрежа за децата*, НМД), due to the lack of a unified database for tracking and analysis in the child protection system, there are significant discrepancies in the data of different institutions, including on topics that require analysis and strategic decision-making, such as violence against children. The situation is similar with regard to the data of the State Agency for Child Protection (SACP) (*Държавна агенция за закрила на детето*, ДАЗД) and the State Agency for Refugees (SAR) (*Държавна агенция за бежанците*, ДАБ) on the number of unaccompanied refugee children, which also calls into question the capacity of the system to track and provide the necessary protection.<sup>554</sup>

## 5.2. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of child protection accountability in the past 8 years, incl. achievements and (persisting) gaps and challenges.

In the past eight years, the most important new development in the area of child protection accountability was the reform of social services and the creation of the Quality of Social Services Agency (QSSA) (*Агенция за качеството на социалните услуги*, АКСУ). Before the reform, the structure of the child protection system was built around three institutions with primary responsibility for oversight and control – the State Agency for Child Protection (SACP) (*Държавна агенция за закрила на детето*, ДАЗД), the Social Assistance Agency (SAA) (*Агенция за социално подпомагане*, АСП), and the municipalities. The new Quality of Social Services Agency (QSSA) (*Агенция за качеството на социалните услуги*),<sup>555</sup> overtook some of the control and oversight functions of the SACP and the SAA.

In its analysis of the Bulgarian child protection system, UNICEF Bulgaria highlighted several gaps and challenges related to the oversight and accountability, including overlapping responsibilities, prioritisation of administrative inspections over substantive analysis of cases, multiple levels of control, and lack of capacity of control bodies at the local level.<sup>556</sup> Despite the multitude of control institutions, the control efforts are not coordinated, a relatively small number of social service providers are being subject to inspections, and the inspections do not focus on the outcomes of child protection cases, but on compliance with of administrative procedures.<sup>557</sup>

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<sup>554</sup> National Network for Children (*Национална мрежа за децата*) (2022), *Gradebook 2022: What is the average score of the State in child care? (Бележник 2022: Какъв е средният успех на държавата в грижата за децата?)*, 11 May 2022.

<sup>555</sup> Bulgaria, Social Services Act (*Закон за социалните услуги*), 22 March 2020, last amended 30 December 2022, Art. 22.

<sup>556</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, pp. 44-47.

<sup>557</sup> Fresno, J.M. et al (2021), *Analysis of the Child Protection System in Bulgaria: Final Report 2019*, Sofia, UNICEF Bulgaria, 12 May 2021, p. 117.

### 5.3. Promising practices

Please list and briefly describe any promising practice in child protection accountability that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

In 2021, the Ministry of Education and Science (MES) (*Министерство на образованието и науката, МОН*) launched the new National Electronic Information System for Pre-School and School Education (NEISPE) (*Национална електронна информационна система за предучилищното и училищното образование, НЕИСПУО*).<sup>558</sup> The system aims to implement a modern approach for providing data on children and students, institutions in the preschool and school education system, teaching and non-teaching staff, their level of education and qualifications, and employment rates. The purpose of the system is to contribute to digitalisation and reduce the administrative burden in the education system. At the same time, the improved content and organisation of information increase the effectiveness of control exercised by the regional educational inspectorates and the Ministry of Education and Science (MES) (*Министерство на образованието и науката, МОН*). The system offers an automatic exchange of information with other state institutions, such as the Social Assistance Agency (SAA) (*Агенция за социално подпомагане, АСП*).

In the 2021/2022 school year, a pilot group of 56 schools and kindergartens from all districts in the country performed initial testing of the system. The system was supposed to be fully operational for the 2022/2023 school year. However, as of 2023, technical difficulties still delay its full implementation.

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<sup>558</sup> For more information, see the [website](#) of the electronic information system (accessible upon registration).

## 6. General education, promotion, and awareness raising

### 6.1. Education on child rights

6.1.1. Does education on child rights form part of the (national) formal school curricula? If yes, please provide details such as in which types of school and targeting which grade(s) (age group), as part of which school subject and for how many periods in a pupil's school career.

Formal school curricula, within the minimum amount of knowledge mandatory for all licensed schools in Bulgaria, introduce the concept of child rights in eleventh grade (about 16-year-olds). For younger children, the subject called Man and Society (*Човекът и обществото*), taught in fourth grade (to about 10-year-olds), introduces the concepts of fundamental and inalienable human rights, as well as civil rights in historical context.<sup>559</sup> Civil education in eleventh grade<sup>560</sup> introduces the Convention on the Rights of the Child, the Universal Declaration of Human Rights, and the ECHR. The same subject also introduces human rights institutions such as the Ombudsman and the UN Committee on the Rights of the Child. Upon completion, the students should be able to interpret the Convention's scope of application at the national, EU and international levels. They should also be able to distinguish cases of human rights and child rights violations and know the mechanisms for their protection at national, European and international levels. Students should also be aware of the importance of personal participation and responsibility in democratic decision-making at all levels (family, school, local community, etc). The educational standards envisage 36 classes of 40 minutes each for this subject during the school year.<sup>561</sup> Teachers have the autonomy to arrange the topics within this time limit.

The Committee on the Rights of the Child repeatedly recommended that Bulgaria ensure systematic teaching of the principles and provisions set out in the Convention on the Rights of the Child at all levels of the school curriculum.<sup>562</sup>

6.1.2. Please provide an overview of the most important national and/or sub-national implemented programmes and activities aiming at educating children, parents, teachers, and/or society at large about child rights and/or child protection at national or sub-national level. By which actors were those commissioned, funded, and implemented?

The Committee on the Rights of the Child repeatedly recommended Bulgaria to increase the awareness of the Convention on the Rights of the Child and to disseminate it across the country, in close cooperation with non-governmental organisations and other stakeholders, paying particular attention to remote and rural areas and children belonging to minority groups.<sup>563</sup>

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<sup>559</sup> For more information, see the [website](#) of the Ministry of Education and Science.

<sup>560</sup> For more information, see the [website](#) of the Ministry of Education and Science.

<sup>561</sup> For more information, see the [website](#) of the Ministry of Education and Science.

<sup>562</sup> United Nations (UN), Committee on the Rights of the Child (2016), [Concluding observations on the combined third to fifth periodic reports of Bulgaria](#), 21 November 2016.

<sup>563</sup> United Nations (UN), Committee on the Rights of the Child (2016), [Concluding observations on the combined third to fifth periodic reports of Bulgaria](#), 21 November 2016, p. 5.

In 2017, UNICEF published a child-friendly version of the Convention on the Rights of the Child in Bulgarian.<sup>564</sup>

The web portal of resources in support of teachers [prepodavame.bg](http://prepodavame.bg) developed and maintained by Teach for Bulgaria Foundation (Фондация „Заедно в час“), offers a package of lessons and support materials for teachers who wish to empower students by encouraging them to exercise their rights.<sup>565</sup>

The foundation operates with the support of the America for Bulgaria Foundation.<sup>566</sup>

UNICEF and Teach for Bulgaria Foundation (Фондация „Заедно в час“), with the support of the Ministry of Education and Science (MES) (Министерство на образованието и науката, МОН) organised a competition "Children's Rights Education" aimed at collecting ideas of how to make children's rights education more interesting and effective. Out of about 200 students and teachers who took part in the competition, seven received awards and the practices they suggested were disseminated among schools across the country.<sup>567</sup>

Individual schools occasionally implemented projects on educating children about their rights.<sup>568</sup>

Parents Association (Асоциация Родители) published several guidance materials on improving online safety of children targeted at parents. Some of them are handbooks "10 ways to stay close to our children in the Internet" and "Five tricky situations online and how you can avoid them", the brochure for parents "Where we are when we are online", etc.<sup>569</sup>

## 6.2. Promotion and awareness raising

6.2.1. Please provide information on awareness raising and/or promotion campaigns or relevant activities on child rights (possibly including on the EU Charter of Fundamental Rights) and/or protection issues targeting the general public or children in general at national or sub-national level. Please provide information on the most recent and representative awareness raising campaigns, including information on the target groups, the thematic areas covered, the actors involved, funding, the method of dissemination chosen and the impact of the campaign, if assessed.

The Bulgarian Supreme Judicial Council (SJC) (Висш съдебен съвет, ВСС) in cooperation with the Ministry of Education and Science (MES) (Министерство на образованието и науката, МОН)

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<sup>564</sup> UNICEF (2017), UN Convention on the Rights of the Child - adapted version for children (*Конвенция на ООН за правата на детето - адаптирана версия за деца*).

<sup>565</sup> For more information, please see the [resources web portal](#) of Teach for Bulgaria Foundation.

<sup>566</sup> For more information, please see the [website](#) of Teach for Bulgaria Foundation.

<sup>567</sup> Radoslavova, P. (2021), 'Seven ideas of teachers and students received awards in the competition on Children's Rights Education' (*'Седем идеи на учители и ученици бяха отличени в конкурса "Образование по права на децата"*), *Zaednovchas.bg*, 17 June 2021.

<sup>568</sup> For example, see the projects [Children for Child Rights](#) of Secondary School "Zhelyazko Terpeshev" in the town of Lyubimets and [Child Rights Week](#) of Secondary School "Georgy Izmirliyev" in town of Gorna Oryahovitsa.

<sup>569</sup> For more information, see the [website](#) of Parents Association.

offers an educational programme "Judiciary - Informed Choice and Civic Trust. Open Courts and Prosecution Offices" (*Образователната програма "Съдебната власт - информиран избор и гражданско доверие. Отворени съдилища и прокуратури"*).<sup>570</sup> It is aimed at raising school children's awareness of the structure, functions and the importance of the judiciary in Bulgaria. The programme was piloted during the 2014/2015 school year. Since then, it is offered in cooperation with NGOs, local authorities and media. Among the topics of discussion between students and judges are child rights and the treaties protecting them, including the EU Charter of Fundamental Rights.

The Ombudsman has a dedicated section on child rights on its website where it publishes in accessible language information on what are children's rights are and the means for their protection.<sup>571</sup>

In March 2022, the Commission for Personal Data Protection (CPDP) (*Комисия за защита на личните данни, КЗЛД*) published a leaflet on the rights of children and young people when working on digital platforms.<sup>572</sup> It summarises the international experience and practice in the processing of personal data of children and the protection of their rights when working with digital platforms. The described principles and standards apply to children as data subjects, as well as to their parents and other actors in the digital world.

6.2.2. Are there any awareness raising activities regarding complaint mechanisms at national or sub-national level, e.g. for the Optional Protocol to the Convention on the Rights on a communications procedure<sup>573</sup>? Please briefly describe.

There are no awareness raising activities regarding complaint mechanisms at national or sub-national level.

6.2.3. Are there any awareness raising or training activities at national or sub-national level on digital literacy, privacy and online safety for children, parents, teachers, and other relevant professionals?

Unlike children's rights education, digital literacy and online safety are subjects to various awareness and training activities.

The Bulgarian Safer Internet Centre (*Център за безопасен интернет*)<sup>574</sup> launched a number of awareness raising and training initiatives on digital literacy and online safety. Besides operating the hotline for online safety of children, the centre implemented the Cyberscout training programme for children aged 11-12 years. As part of the programme, the children received various tasks (Cyberscout missions) for raising awareness about online safety among their peers. The centre also developed different methodologies for (peer) training on a number of topics such as sexual exploitation online, critical thinking development, media and information literacy, etc.

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<sup>570</sup> For more information, see the [website](#) of the Supreme Judicial Council.

<sup>571</sup> For more information, see the section on children's rights on the [website](#) of the Ombudsman.

<sup>572</sup> Bulgaria, Commission for Personal Data Protection (*Комисия за защита на личните данни*) (2022), The rights of children and young people when working on digital platforms (*Правата на децата и младите хора при работа в дигитални платформи*), 28 March 2022.

<sup>573</sup> URL: <https://www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-convention-rights-child-communications> [12/12/2022]

<sup>574</sup> For more information, see the [website](#) of the Bulgarian Safer Internet Centre.

In 2021, UNICEF launched a campaign “A new generation with critical thinking” („Ново поколение с критично мислене”).<sup>575</sup> As part of the campaign, the digital literacy app Cyber Survivor was developed to help children and young people navigate the internet safely, protect themselves from cybercrime and bullying, recognise and report fake news, develop critical thinking and make informed decisions. The app serves as an interactive learning platform that allows teenagers to acquire and develop digital skills and experiences while playing.

The Media Literacy Coalition (*Коалиция за медийна грамотност*) organised 11 training sessions with over 220 high-school teachers aimed at developing the digital-media skills of high school students. Sessions were based on the methodology developed by a team of teachers in the framework of the project “An Integral Approach for the Development of Students’ Media Literacy”, implemented by the Media Literacy Coalition with the financial support of the Active Citizens Fund.<sup>576</sup>

The State Agency for Child Protection (SACP) (*Държавна агенция за закрила на детето*), the Directorate General for Combating Organised Crime (*Главна дирекция „Борба с организираната престъпност“*) of the Ministry of the Interior (Moi) (*Министерство на вътрешните работи, МВР*) and the Bulgarian Safer Internet Centre (*Център за безопасен интернет*) published a brochure “Short dictionary with useful information for online safety” („Кратък речник с полезна информация за безопасност в мрежата”).<sup>577</sup> It aims at raising awareness of the most widespread threats online and the main response channels.

### 6.3. Promising practices

Please list and briefly describe any challenges and promising practice regarding child rights and/or child protection outreach activities/measure targeting relevant groups of society or society at large that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

Child rights outreach activities in Bulgaria in the last five years are dominated by digital and media literacy. Most of them aim to increase the teachers’ capacity to improve school children’s awareness of their rights, particularly in the digital environment. UNICEF Bulgaria and the Association of European Journalists – Bulgaria (*Асоциация на европейските журналисти – България*) published the handbook “My right to an opinion! Creating content for social networks” („Правото ми на мнение! Създаване на съдържание за социалните мрежи”). The handbook offers advice from distinguished media and legal experts on how to create social media content. It targets children and young people and introduces copyright, hate speech and other concepts. The two organisations also examined the most popular social networks and the risks associated with them. Under the same initiative, a competition for children to

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<sup>575</sup> For more information, see the [website](#) of UNICEF Bulgaria.

<sup>576</sup> Ivanova, I. (2023), ‘Over 200 teachers completed Media Literacy Coalition training to develop high school students’ digital-media skills’ (*‘Над 200 учители завършиха обучение на Коалицията за медийна грамотност за развиване на дигитални-медийните умения на гимназистите’*), *Gramoten.li*, 3 February 2023.

<sup>577</sup> For more information, see the [website](#) of the State Agency for Child Protection.

present their hobbies by creating media content was organised. The finalists were granted the possibility to take part in a youth hackathon "Digital Solutions for Media Literacy: My Right to an Opinion".<sup>578</sup>

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<sup>578</sup> UNICEF Bulgaria (2020), 'Who are the winners of the contest "My right to an opinion! My social media causes"?' (*'Кои са победителите в конкурса „Правото ми на мнение! Моите каузи в социалните мрежи“?*'), press release, 17 March 2020.

## 7. Child participation and community engagement

### 7.1. Complaint procedures

Question	YES	NO	Comments
7.1.1. Are there independent child complaints procedures (e.g. an ombuds institution) that are fully compliant with the Paris Principles <sup>579</sup> in place, with an ability to hear, review and enforce individual complaints from children?	X		<p>The Ombudsman is the national human rights body with a mandate to protect children’s rights.<sup>580</sup> In March 2019, the Ombudsman was accredited by the United Nations with the highest A status in accordance with the Paris Principles. The institution is authorised to receive, hear and review individual complaints from children without the power of attorney or legal guardianship.<sup>581</sup> On the website of the Ombudsman, there is a separate section on children’s rights, which also includes a child-friendly online form for submitting complaints.<sup>582</sup> The Ombudsman receives and considers complaints and signals for violations of rights and freedoms by state and municipal authorities and their administrations, one of which is the Social Assistance Agency (SAA) (<i>Агенция за социално подпомагане</i>, АСП) and its divisions.<sup>583</sup> There is no information about any other type of collaboration between the two bodies.</p> <p>The Child Protection Act (<i>Закон за закрила на детето</i>) stipulates that the local Social Assistance Directorates (SAD) (<i>Дирекция „Социално подпомагане“, ДСП</i>) carry out inspections for violations of children’s rights</p>

<sup>579</sup> URL: [https://ganhri.org/paris-principles/#:~:text=The%20Paris%20Principles%20\(%27Principles%20Relating,are%20pluralism%2C%20independence%20and%20effectiveness](https://ganhri.org/paris-principles/#:~:text=The%20Paris%20Principles%20(%27Principles%20Relating,are%20pluralism%2C%20independence%20and%20effectiveness) [12/12/2022]

<sup>580</sup> Bulgaria, Ombudsman Act (*Закон за омбудсмана*), 23 May 2003, last amended 2 February 2023, Art. 19.

<sup>581</sup> Попов, Arnaudov & Partners Law Firm (*Адвокатско дружество „Попов, Арнаудов и Партньори“*) (2019), Functional analysis "Review of the work processes and procedures of the Ombudsman's administration" (*Функционален анализ с предмет: „Преглед на работните процеси и процедури на администрацията на Омбудсмана“*), 12 June 2019, p. 28.

<sup>582</sup> For more information, see the section on children’s rights on the [website](#) of the Ombudsman.

<sup>583</sup> Bulgaria, Ombudsman Act (*Закон за омбудсмана*), 23 May 2003, last amended 2 February 2023, Art. 19.

			based on complaints and signals, and issues mandatory instructions for their elimination. <sup>584</sup>
7.1.2. Are there specialised Courts and complaint procedures with international standards in place for children in contact with the law and for children to access justice and seek redress and remedies for violations of the child protection rights?		X	<p>In Bulgaria, there are <u>no</u> specialised courts or complaint procedures with international standards for children in contact with the law and for children to access justice and seek redress and remedies for violations of child protection rights.</p> <p>In some places, there are child-friendly hearing rooms, called “blue rooms” (<i>сини стаи</i>). As of 2021, there were 40 such rooms across the country.<sup>585</sup> Some of them are located in courts and are project-based, others are managed by NGOs or municipalities and used by different institutions – the police, courts, social assistance authorities, NGOs, etc. Although all institutions formally support the use of “blue rooms” in all types of proceedings involving children, there are no rules making their use mandatory. As a consequence, these rooms are used depending on availability and at the discretion of the hearing bodies.<sup>586</sup> Some courts have internal rules regulating the use of these rooms in the different types of proceedings.<sup>587</sup></p>

## 7.2. Feedback mechanisms

Question	YES	NO	Comments
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<sup>584</sup> Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 21.

<sup>585</sup> Konstantinova, M. (2021), ‘Every child has the right to questioning in a blue room’ (*‘Всяко дете има право на разпит в синя стая’*), *News.bg*, 7 March 2021.

<sup>586</sup> Konstantinova, M. (2021), ‘Every child has the right to questioning in a blue room’ (*‘Всяко дете има право на разпит в синя стая’*), *News.bg*, 7 March 2021.

<sup>587</sup> For example, see the [website](#) of Regional Court of Montana.

<p>7.2.1. Are there government support fora such as children’s groups established at local/community level, and is a formal mechanism in place through which national/sub-national/local government receive and respond to the feedback and ideas from children and children’s groups who have received child protection services?</p>	<p><b>X</b></p>	<p>The children’s rights to actively participate in all spheres of life are enshrined in several legal acts.<sup>588</sup></p> <p>In 2003, the Children's Council (<i>Съвет на децата</i>) was established as an advisory body to the Chairman of the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>). The Children’s Council consists of 33 children, with one quota per administrative district, four quotas for children from vulnerable groups and one quota for a child with granted international protection. The election of council’s members is divided into three levels (municipal, regional and national level) and aims to ensure a broad representation of children and involvement of local authorities, civil society, media and the corporate sector in the nomination and selection of candidates. The members of the Children's Council represent the children from the area from which they are elected. During their term of office, children participate in various training activities, events and initiatives. With the support of the Chairperson of the SACP, the members of the Children's Council interact actively with representatives of child protection institutions and bodies at the national and local level, with businesses, NGOs and youth structures.<sup>589</sup></p> <p>In 2016, the State Agency for Child Protection (SACP) (<i>Държавна агенция за закрила на детето, ДАЗД</i>) signed a cooperation agreement with Lumos Foundation. The purpose of the agreement is help create an inclusive environment for the participation of children with learning and intellectual disabilities and children</p>
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<sup>588</sup> For example, see Bulgaria, Child Protection Act (*Закон за закрила на детето*), 13 June 2000, last amended 5 August 2022, Art. 12; Bulgaria, Preschool and School Education Act (*Закон за предучилищното и училищното образование*), 1 August 2016, last amended 2 February 2023, Art. 171.

<sup>589</sup> Bulgaria, State Agency for Child Protection (*Държавна агенция за закрила на детето*) (2023), Letter to the Center for the Study of Democracy, 6 March 2023.

			<p>in formal care in the work of the Children's Council.<sup>590</sup></p> <p>The regulation on civic, health, environmental and intercultural education lays down the rules for the setting up and the functioning of children's councils at class level, school level and national level.<sup>591</sup></p>
7.2.2. Are community-based mechanisms functional across the country where necessary and per applicability and per protocols and procedures? Is their effectiveness monitored by independent accountability mechanisms?		X	<p>Community-based mechanisms exist occasionally and are often project-based. They are led by adults and usually cease to exist once the no longer invest in them.<sup>592</sup></p> <p>In 2012, Partners Bulgaria Foundation (Фондация „Партньори – България“), UNICEF Bulgaria and the State Agency for Child Protection (SACP) (Държавна агенция за закрила на детето, ДАЗД), with the support of the Ministry of Education and Science (MES) (Министерство на образованието и науката, МОН) started the project "Promoting children's participation by strengthening the role of student councils at school, municipal, regional and national levels" („Насърчаване на детското участие чрез укрепване на ролята на ученическите съвети на училищно, общинско, областно и национално равнище“).<sup>593</sup> The project established and supported 26 children's councils in three districts and eight municipalities. In the framework of the project, experts developed</p>

<sup>590</sup> Bulgaria, State Agency for Child Protection (Държавна агенция за закрила на детето) (2016), 'The State Agency For Child Protection and the Lumos Foundation join forces to promote child participation' (Държавната агенция за закрила на детето и фондация „Лумос“ обединяват усилията си за насърчаване на детското участие'), press release, 8 February 2016.

<sup>591</sup> Bulgaria, Regulation No 13 of 21 September 2016 on civic, health, environmental and intercultural education (Наредба № 13 от 21 септември 2016 г. за гражданското, здравното, екологичното и интеркултурното образование), 11 October 2016, last amended 28 September 2018, Annex 6 to Art. 17.

<sup>592</sup> Toneva, E. (2022), *Child Participation and Activism in Bulgaria: Where Are We Going? (Детско участие и активизъм в България: накъде вървим?)*, Sofia, Know-How Centre for Alternative Childcare, New Bulgarian University.

<sup>593</sup> National Network for Children (Национална мрежа за децата) (2015), 'Children train children in child participation' (Деца обучават деца в детско участие'), press release, 25 July 2015.

			model mechanisms at local level to improve child participation.
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### 7.3. Promising practices

Please list and briefly describe any challenges and promising practice regarding child participation and community engagement that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

Small Steps Foundation (Фондация „Малките стъпки“)<sup>594</sup> is an organisation focused entirely on child participation and the development of integrated education programmes. The organisation works primarily in small localities (Skalitsa (Tundzha), Gorna Malina, Aprilovo, etc.) with children between 10 to 18 years of age. It has developed its own methodology under which it works with groups of children and municipal services. The organisation’s approach is specific in that it never works only with selected children or local students’ councils but with whole classes seeking opportunities to include inactive children. According to the organisation’s experts, they seek and manage to involve “both the rebels and the quieter kids”.<sup>595</sup> The main goal of the foundation’s methodology is to provide children with relevant competencies and to empower them to participate in the local decision-making processes by actively seeking children's ideas and topics important to children. The team then walks the path to social change together with the children. In the village of Skalitsa, for example, the children have repaired a radio station and use it for broadcasting their programmes and announcements.

<sup>594</sup> For more information, see [website](#) of the Small Steps Foundation.

<sup>595</sup> Toneva, E. (2022), *Child Participation and Activism in Bulgaria: Where Are We Going? (Детско участие и активизъм в България: накъде вървим?)*, Sofia, Know-How Centre for Alternative Childcare, New Bulgarian University, p. 19.