



**Convention on the
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION**

Second periodic reports of States parties due in 1998

BULGARIA

[4 July 2007]

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**MEASURES UNDERTAKEN AND PROGRESS MADE BY BULGARIA
IN THE IMPLEMENTATION OF THE PROVISIONS OF THE
CONVENTION ON THE RIGHTS OF THE CHILD**

(CONSOLIDATED SECOND AND THIRD PERIODIC REPORT)

I. INTRODUCTION

1. The Convention on the Rights of the Child (CRC) has been incorporated in the national law as of 13 July 1991 by virtue of article 5, paragraph 4 of the Constitution of the Republic of Bulgaria, as noted in its initial report (see CRC/C/8/Add.29, paras. 1-2).
2. In the period following the submission of its initial report, Bulgaria ratified the Optional Protocols to CRC on the Involvement of Children in Armed Conflict and on Sale Of Children, Child Prostitution and Child Pornography in November 2001, ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour in July 2000, the Convention of 29 May 1993 on Protection of Children and Co-operation in respect of Intercountry Adoption in January 2002 and the Hague Convention on the Civil Aspects of International Abduction in March 2003.
3. Pursuant to article 44, paragraph 1 (b) of CRC, the Bulgarian Government submits this report on the measures adopted and the progress made in guaranteeing the enjoyment of the rights recognized in the Convention. The information in this report has been compiled in cooperation with the competent State bodies and the support of non-governmental organizations (NGOs) working in the area of child protection, as well as international organizations represented in the country.

**II. GENERAL MEASURES FOR THE IMPLEMENTATION
OF THE CONVENTION (arts. 4, 42 and 44, para. 6)**

4. Pursuant to the concluding observations of the Committee on the Rights of the Child (CRC/15/Add.66), measures were adopted for the harmonization of the national legislation with the principles and norms of CRC. A series of laws and by-laws regulating the civil and political, economic, social and cultural rights of children were adopted and enforced (for further important legal acts, see annex to the present report).
5. The discussions relating to the adoption of the Child Protection Act (CPA) significantly contributed to raising the profile of a child policy as a priority for the Bulgarian Government after 1999. A Strategy and an Action Plan for the Protection of Children's Rights in Bulgaria for the period 2000-2003 were adopted in December 2000 and later updated by the National Strategy for Child Protection 2004-2006. The main objective was to improve the living conditions of children in Bulgaria, ensure the protection of their rights regardless of their ethnic background; harmonize the legal framework of child protection with the requirements of the European Union and to elaborate a uniform State policy in the field of childcare and services.
6. Pursuant to CPA, the State Agency for Child Protection and Child Protection Policy (SACP) was set up by virtue of decree No. 226 of 30 October 2000 of the Council of Ministers and became operational on 1 January 2001. Its chairperson, who is a body of the executive

power within the meaning of the State Administration Act, was appointed by an Act of the Prime Minister. The chairperson is a specialized body of the Council of Ministers responsible for management, coordination and control in the field of child protection (art. 17 of CPA).

Subsequently, the powers of the chairperson were expanded by an amendment to CPA in 2003, introducing national programmes for children through an annually adopted National Programme for Child Protection; licensing providers of social services for children; organizing checks on compliance with the rights of children; monitoring and control of the specialized institutions for raising children as regards respect for the rights of the child, etc.

7. Article 4 of CRC requires States parties to the Convention to undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized therein. The States parties' obligation to implement the civil and political rights is absolute, while as regards the economic, social and cultural rights, the States parties are required to undertake "such measures to the maximum extent of their available resources and, where needed, within the framework of international cooperation".

8. Bulgaria has in fact implemented a large number of the commitments that the Convention places upon States parties as of the date of its ratification of the Convention in 1991. Prior to changes in CPA and to the adoption of the respective by-laws for its application, a comprehensive overview of CRC was conducted with a view to ensuring full compliance with its provisions. A detailed analysis of the measures for its practical implementation was also carried out. Thematic overviews of the Bulgarian legislation, including the established national practices regarding specific provisions of CRC are regularly made with a view to their compliance with the Convention.

9. With the support of the UNICEF regional office in Geneva in 2004 and the UNICEF representation office in Bulgaria in 2005, SACP undertook a further review of the compliance of the national legislation with the principles enshrined in CRC. The CRC Implementation Checklists were translated and disseminated in the country. To that end, experts involved in the process undertook a series of training programmes provided by UNICEF consultants. This process led to an analysis of the implementation of CRC in the country as well as to the elaboration of a National Integrated Plan for the Implementation of CRC for the period 2006-2009. The Plan establishes programmes on the basis of specific verifiable and achievable results for children, and sets out 10 specific goals and results corresponding to the United Nations Millennium Development Goals. The overall objective is to ensure a quality of life for children in accordance with the best available standards (see www.sacp.government.bg for the full text of the Plan).

III. DEFINITION OF THE CHILD (art. 1)

10. The Child Protection Act (CPA) gives a legal definition of a child in accordance with the definition provided for in article 1 of CRC. Under article 2 of CPA a "child within the meaning of this Act is every natural person by the time he turns the age of 18". (On this issue, see also the initial report of Bulgaria, Chapter II "Definition of a Child" (CRC/C/8/Add.29, paras. 25 et seq.), as well as the section on "Family environment and alternative care" in the present report).

IV. GENERAL PRINCIPLES (arts. 2, 3, 6 and 12)

11. The principle of prohibition of discrimination provided in article 2 of CRC has been entirely incorporated in the Bulgarian legislation on the protection of the child. The legislative framework for protection against discrimination consists of the Constitution of the Republic of Bulgaria (art. 6, para. 2¹), the Protection against Discrimination Act and the Ombudsman Act (in force as of 1 January 2004), and the Child Protection Act. The principle is common to the whole legal system of the country and is reflected in a number of provisions of legal acts in the civil and criminal fields.²

12. Pursuant to CPA there shall be no restrictions of the rights or any privilege on the grounds of race, nationality, ethnic background, sex, origin, property status, religion, education, convictions or disability (art. 10). In implementing the principle of non-discrimination, the Act provides for special protection of children at risk, children with outspoken talents and other vulnerable groups such as children with disabilities and children from ethnic minority groups.

13. Promoting the welfare of children is a basic priority of the Bulgarian State policy enshrined in the Constitution and the national laws, which fully reflect the principle of the best interests of the child. All policies and actions concerning children that are carried out by the competent national authorities (legislative, judiciary and executive) are guided by the principle of the best interests of the child, as provided for in article 3, paragraph 1 of CRC.

14. A case in point is the National Programme for Child Protection for 2006 adopted by the Council of Ministers. The Programme is aimed at ensuring conditions for respecting the rights of all children in Bulgaria with a view to promoting their welfare and supporting their families and covers seven priority areas mentioned below. The major goals and activities of the Programme are in full compliance with the principle of protecting the best interests of the child as well as with the principles of raising the child in a family environment and respecting his/her personality.

15. The reports of the bodies involved in the implementation of the activities envisaged demonstrate that the National Programme for Child Protection for 2006 has attained its goals.

16. Under the first priority area, “Reducing the number of children in specialized institutions and improving the life conditions there”, the competent bodies have carried out activities aimed

¹ “All citizens shall be equal before the law. No restrictions of the rights nor privileges based on race, nationality, ethnic background, sex, origin, religion, education, convictions, political belonging, personal or public standing or property status shall be allowed.”

² Penal Code, Penal Procedure Code, Civil Procedure Code, Labour Code, Civil Servants Act, Civil Registration Act, Child Protection Act, Protection against Unemployment and Promotion of Employment Act, Social Assistance Act, Consumer Protection and Trade Rules Act, Religious Denominations Act, Public Education Act, Higher Education Act, Protection and Development of Culture Act, Radio and Television Act, etc.

at developing new alternative forms of care and social community services for children. The quality of life of children in specialized institutions is improving; the institutions are being reformed and services aimed at acquiring life skills are being developed.

17. Under the second priority area “Creating better conditions for children on the streets for exercising their rights as provided for in the Convention for the Rights of the Child and the Child Protection Act”, various awareness and information campaigns and consultations have been carried out with a view to preventing children from living in the street and guaranteeing life in a suitable family environment by developing alternative social services such as information centres, consultation and support of children at risk and their parents, a crisis centre for children in the street, shelters for homeless children and a centre for work with children in the street and homeless children.

18. Work under the third priority area, “Improving the efficiency of measures aimed at protecting children from violence, abuse and other forms of exploitation”, is focused on improving the awareness of children and the general public on the issue of sexual and labour exploitation, including abuse through the Internet.

19. The activities envisaged under the other priority areas are performed successfully in realization of the operational objectives of the Programme - “guarantees for equal access of children to quality education and preparation with a view to full social realization”, “monitoring of the respect of the rights of children and the quality standards of services for children”, “reducing the number of children - victims of road accidents” and “setting up and maintaining a national information system in the area of child protection”. The necessary funding for the past period has been provided.

20. The project “Reform to improve the welfare of children in Bulgaria” was launched in May 2001 in support of the Bulgarian Government for accomplishing the reform in the child protection system.³ The major goal of the project is precisely to reform child policies, inter alia, through developing community services as an alternative to institutionalization, preventing leaving children in institutions, working with street children, reforming the management of institutions for children as well as institutional building and strengthening of the State bodies responsible for the formulation of child policies in Bulgaria. The project consists of five basic subprojects: institutional development of SACP; institutional development of municipal structures; development of family support services; management of the reforms in 20 social institutions in 10 pilot municipalities selected in advance by the National Service for Social Assistance and the Ministry of Labour and Social Policy and the National Education Centre. A project management unit has been set up in the Ministry of Labour and Social Policy to assist the implementation of the envisaged activities.

³ The project is financed by the Bulgarian Government with a loan from the World Bank, funds under the Phare programme of the EU Commission, the British Government, grants of the Japanese Fund for Social Development and the Swiss Agency for Co-operation and Development.

21. SACP maintains a specialized Internet website on the implementation of the Convention on the Rights of the Child. The website has an information function and is aimed at professionals working with and for children, the general public and the children themselves. The Internet website aims at promoting the rights of the child, and provides full information on the progress made in the implementation of the Convention, and on the monitoring system for the respect of the rights of the child, etc.
22. The Constitution of Bulgaria guarantees the right to life of its citizens, including children as stipulated by article 6 of CRC. The Child Protection Act stipulates that every child is entitled to protection with a view to his/her physical, mental, moral and social development. Police protection to children is provided under terms and conditions that require that such protection be carried out jointly with social workers in the Child Protection Department with a view to removing the causes and conditions endangering the physical, psychological or moral development of the child.
23. With a view to ensuring full compliance with the Convention, in particular with article 12 thereof, as well as with article 39 of the Constitution, the Child Protection Act provides for the right of every child to express freely his/her views in all matters that affect him/her. Mandatory hearing in administrative and judicial proceedings affecting the child is envisaged if the child has turned 10 years of age, unless this would be detrimental to his/her interests.
24. The provisions of CPA are of a general nature and apply to all cases where rights or interests of children are affected, including as regards measures for the development of legislation and practices on the central, regional and local levels, immigration procedures (including in cases of children who are asylum-seekers) and adoption procedures. In compliance with the Convention, special provisions were elaborated that apply to children who are witnesses in civil and criminal cases. SACP together with the National Institute of Justice holds annual training seminars for social workers and magistrates on those issues.
25. In general, the State institutions aim at introducing practices that involve children in resolving the issues that affect them. A Public Children's Council with consultative functions has been set up with SACP to that end.

V. CIVIL RIGHTS AND FREEDOMS (arts. 7, 8, 13-17, 19 and 37 (a))

26. Article 7 of CRC provides for the obligation of registration of children immediately after their birth. This is fully guaranteed by the provisions of the Civil Registration Act (CRA). In accordance with article 42 of the Act, a birth certificate is issued on the basis of a written notification of the birth within seven days following the day of birth. The civil registration procedure of natural persons is accessible, understandable and free of charge. Special rules regulate the registration of abandoned children.
27. The right of the child to a name is also provided for in CRA. The name of a child is chosen by his two parents. Rules for changing the name of the child are also envisaged.
28. The provisions of the Constitution and the Bulgarian Citizenship Act guarantee that there is no discrimination in the acquisition of Bulgarian citizenship. Protecting the child against the possible risk that he/she remains stateless, the Act provides for acquisition of Bulgarian

citizenship by children whose parents are unknown. Following the policy of reducing the number of cases of stateless persons, the legislation guarantees that all stateless children on the territory of the country may apply for Bulgarian citizenship.

29. The right of the child to know his parents and be raised by them (right to biological and family identity) is guaranteed by the provisions of the Family Code that are aimed at protecting the best interests of the child. In cases where children are denied the right to know the identity of their parents, they may file claims at a later stage to establish their origin from the mother and from the father. The Family Code regulates in detail the secret of adoption and in whichever cases it may be disclosed.

30. According to Bulgarian legislation, children are entitled to know the identity of both their parents, including citizenship, name, and family relations. Sanctions are provided for in cases of illegal actions against the identity of the child and the family relations.

31. The right of the child to access to information is formulated as a general rule in CPA. The explicit provision of the law regulates the right of the child to express his/her views. The Code of Ethics of the Bulgarian Media signed in 2004 also includes special measures, which promote the freedom of expression of the child.

32. CPA does not provide for any restrictions of the freedom of expression of the child. Such rights are included in the Constitution (art. 39, para. 2) in line with article 13, paragraph 2 of the CRC. Article 39 (1) and (2) reads as follows:

(1) Everyone has the right to express an opinion or to impart an opinion by means of words - either in writing or orally, through sound, image, or by any other medium;

(2) This right shall not be used to the detriment of the rights and reputation of others, or for incitement to a change of the constitutionally established order by force, to the commission of criminal offences, or for incitement to animosity or to personal violence.

33. The Integration of People with Disabilities Act makes special provisions for measures guaranteeing the freedom of expression of children with disabilities. Pursuant to this Act, the Bulgarian National Television, the Bulgarian National Radio and the Bulgarian Telegraph Agency provide information accessible to people with disabilities. These media are obliged to include in their schedules broadcasts specialized for people with disabilities.

34. CPA makes provisions for the protection of the religious beliefs of the child. The attitude to religion of children of up to 14 years of age is determined by their parents or guardians, and of children between 14 and 18, by mutual consent with their parents or guardians respectively. In case such consent is not reached, the child may submit the case to be resolved by the regional court through the bodies envisaged in CPA.

35. Religious education in public schools is regulated by the Public Education Act (PEA), the Rules for Its Implementation (RIPEA) and Regulation No. 2 of 18 May 2000 for the school curriculum. In accordance with article 30 of PEA, religious institutions that are officially recognized in the country may open religious schools for ritual needs for children who have

graduated from elementary and in some cases, secondary schools. The education acquired there is considered identical to that provided in secular establishments, if the State educational requirements for the respective education level are met. The Ministry of Education and Science is the competent body to grant permits to open such schools. RIPEA provides for the terms of registration and the closing down of such schools (art. 23, paras. 2-4). In annex 4 of the above-mentioned Regulation, religion, as a course of study in public schools is included in general sciences and civil education and in particular the so-called “Notions and issues with integrated and interdisciplinary nature”. In secular schools, religion is generally taught from the historical, philosophical, and cultural perspectives, being included in the curriculum of these different courses, and is offered as an optional subject.

36. The teaching of Islam follows an approved concept for the education of Muslim children in general education schools. The concept includes motives, aims and content of the course of study; learning aids and methodological guidance; publication, distribution and a system for using the learning aids; curricula for Muslim students from second to eighth grades; instructions for experimentally teaching Islam in the framework of the optional classes in the municipal schools in the country. (The teaching of Islam is conducted in Bulgarian pursuant to article 8, paragraph 1 of the Public Education Act according to which the official language in kindergartens, schools and service units is Bulgarian.

37. Pursuant to the Radio and Television Act, the Bulgarian National Radio and the Bulgarian National Television allocate time for addressing believers and for broadcasting essential religious ceremonies at the request of the officially registered religious denominations (art. 53).

38. The right to freedom of association and of peaceful assembly is guaranteed in article 43 (1), (2), and (3) of the Constitution which stipulates:

(1) Citizens shall have the right to assemble peacefully and without arms for meetings and demonstrations;

(2) The procedure for the organizing and holding of meetings and demonstrations shall be established by statute;

(3) No authorization shall be required for meetings held indoors.

39. The restrictions to that right are also set in the Constitution and are in line with those envisaged in article 15, paragraph 2 of CRC. According to article 11, paragraph 4 of CPA, every child is entitled to protection against his/her involvement in political, religious or trade unionist activities.

40. The Constitution guarantees the right to protection against arbitrary or unlawful interference with the privacy, family, home or correspondence, honour and reputation of every person, including children. The cases of interference are explicitly provided for and are subject to judicial review. The legislation provides for possibilities that the child is confidentially consulted without the knowledge of his/her parents, guardians or custodians if this is necessary to protect his/her best interests. Other legal provisions protect children from arbitrary and

unlawful interference in their family, home as well as the specialized institutions for children. The right of the child to personal correspondence is also protected (allowing for option control). In places of detention, the correspondence of children is subject to checks.

41. Radio and television operators are liable for the content of the programmes they broadcast. They are bound to prevent the creation or release for broadcasting of broadcasts in violation of the principle of article 10 of the Radio and Television Act (RTA), as well as of broadcasts implying national, political, ethnic, religious or racial intolerance, praising or justifying cruelty or violence, or such that are aimed at damaging the physical, mental and moral development of juveniles and minors. The guiding principles of the operators are as follows: (a) to guarantee the right to free expression of views and of information; (b) to guard the secret of the source of information; (c) to protect the privacy of citizens; (d) the non-admissibility of broadcasts that imply intolerance among citizens; (e) the non-admissibility of broadcasts that contradict good morals, especially if they contain pornography or praise or justify cruelty or violence or inspire intolerance on grounds of race, sex, religion or nationality, etc. or are aimed at damaging the physical, mental and moral development of minors and juveniles. The prohibition of broadcasts that affect the rights of children does not cover encoded broadcasts and/or broadcasts from 11 p.m. - 6 a.m., that are clearly marked by a preceding audio- and/or visual sign or are marked with a visual sign throughout their duration.

42. The Act also envisages that in commercials targeted at children, or which portray children, or anything that could affect negatively their physical, mental and moral development must be avoided. Commercials with erotic elements involving minors or juveniles or targeted at them are prohibited as are broadcasts of commercials based on national, political, ethnic, religious, racial, sex or other forms of discrimination.

43. Commercials targeted at minors must comply with the following requirements: they should not encourage minors to purchase goods or make use of services in a manner that takes advantage of their inexperience or trust; they should not take advantage of the special trust they feel for parents, teachers and other persons; they should not display minors in dangerous situations; nor should they directly encourage minors and juveniles to convince their parents or other persons to purchase goods or services advertised. The radio and TV market should not incite minors to buy or rent goods or services contracts. All commercials encouraging the sale of tobacco products and smoking are prohibited, while commercials for the sale of all kinds of alcoholic drinks must comply with certain requirements: that they are not targeted at minors and juveniles and are not broadcast in programmes aimed at them; that minors and juveniles are not portrayed in the commercials and in particular, that they do not represent minors or juveniles consuming those drinks; that the content of the commercials makes no link between the use of alcohol and sports or physical achievements or driving of motor vehicles; that commercials do not claim that alcoholic drinks have therapeutic qualities or stimulating or soothing effect or that they resolve personal problems; that they do not encourage excessive consumption of alcoholic drinks; that they do not create the impression that the use of alcohol contributes to social or sexual success. The advertisement of narcotics and other psychotropic substances is prohibited. SACP has sent several warnings to TV channels concerning broadcasts that are inadmissible from the viewpoint of the rights of the child. This is for example the case where a 3-year old child was involved in the TV show "VIP BROTHER" broadcast in March and April 2006 on one of the national television channels in Bulgaria. SACP has expressed the opinion that the involvement of the child could involve risks for her psychological and

physical health and contradicts the provisions of the law (art. 3 of CPA) and the principles of CRC. The opinion of SACP provoked numerous reactions on the part of the media and the non-governmental sector. A series of round tables and discussions on the issue were organized (for the full text of the opinion, see www.stopech.sacp.government.bg and www.sacp.government.bg).

44. An independent specialized collegial body called the Council for Electronic Media (CEM) was set up in Bulgaria to protect the freedom of expression and the independence of radio and television operators as well as the interests of listeners and viewers.

45. In order to provide access to information for citizens whose native language is not Bulgarian, programmes are broadcast in languages other than Bulgarian. Since 2000 Channel 1 of the Bulgarian National Television broadcasts a daily 10-minute information emission in Turkish. Bulgarian National Radio broadcasts twice a day half-an-hour information and music programmes only for the regions with the concentration of people of Turkish ethnic background. One of the private radio stations in the country, Darik Radio, launched a regional programme in Turkish, which is currently broadcast from Kardzhali (south-east of Bulgaria). CEM has licensed a cable TV in Vidin targeted at the Roma community and broadcasts in Roma language. A cable TV targeted at people from the Turkish minority is licensed in Razgrad.

46. The Access to Public Information Act was adopted in 2000. It provides for a mechanism for citizens to access public information. Pursuant to article 2 (1), public information within the meaning of that Act is any information related to public life in Bulgaria, which allows citizens the possibility to form their own opinion about the activity of those bound by law.

47. A number of projects were carried out in the country to promote child protection in an information society and in particular on the Internet. These projects were implemented by SACP with the support of UNDP and UNICEF offices. The specific results led to the elaboration of aids for children for safe work on the Internet, a nationally representative poll on public awareness regarding work in the Internet, the elaboration and publication of information and education materials for parents, teachers and students, the elaboration of school rules for work in the Internet, national contests for students and NGOs, introducing a specialized software for children, and two national conferences on “The rights of the child in the information society”, etc.

48. The prohibition of torture and all other forms of cruel, inhuman or degrading treatment guaranteed in article 37 (a) and (b) of CRC is provided for in the Constitution. The amendment to the Penal Code of 1998 repealed the death penalty, and life imprisonment without parole was introduced instead as a temporary and exceptional measure for the gravest crimes that endanger the foundations of the Republic as well as for other grave malicious crimes. This punishment however may not be imposed on persons who at the time of committing the crime have not turned the age of 20, and for military staff and during war times - the age of 18. According to Bulgarian legislation children up to 14 years of age are considered juveniles and are not criminally liable. Children from 14 to 18 years of age are minors and are criminally liable as long as they are sane, i.e. if they comprehend the nature and meaning of their acts. For minors, the penalties “life imprisonment without parole” and “life imprisonment” are substituted with imprisonment from 3 to 10 years, and for those who have turned 16 years of age - with imprisonment from 5 to 12 years. Corporal punishment is not allowed.

49. The Law against Domestic Violence has been in force since April 2005. It protects the rights of persons including children who suffered violence in the family. As a temporary protective measure for children - victims of violence, the Law provides for temporary settling the child's residence with the parent who did not commit violence, under terms and conditions set by the court, unless this contradicts the interests of the child. The provisions of the Rules for the Implementation of CPA also foresee the possibility of placing the child outside the family as a protection measure which can be taken after all possibilities of protection within the family have been exhausted, except for cases where the child needs to urgently be taken away.

VI. FAMILY ENVIRONMENT AND ALTERNATIVE CARE (arts. 5, 18, paras. 1 and 2, 9-11, 19-21, 25, 27, para. 4 and art. 39)

50. In compliance with the provisions of articles 5 and 18 of CRC, according to the Bulgarian Family Code, the two parents exercise jointly or individually the rights and obligations to their children. The parent's status is not terminated by the divorce or after the separation of parents; the parents are legal representatives of their children and render guardian support (for children who have turned the age of 14). This applies to the rights of the child regarding property and also to the exercising of some of his personal rights which, because of his/her young age, he/she cannot exercise individually (e.g. determining the first name of the child).

51. The Constitution and legislation take account of the age and other specificities of the child. In accordance with the Persons and Family Act, legal acts of children under 14 shall be performed by their parents. Persons from the age of 14 to 18 shall perform legal acts by mutual consent of their parents or guardians, but may enter into small transactions related to their current needs as well as to avail of the proceeds of their own labour.

52. In relation to article 9 of CRC, the order for separating children from their parents is set forth in the Family Code and further regulated in details in CPA. The principle of giving precedence to raising the child in a family environment in the best interests of the child is respected. Placing children in specialized institutions is only done in cases where all possibilities for leaving the child in the family environment have been exhausted. The court proceeds according to the following order: (i) placing the child in the family of relatives or close friends; (ii) with a foster family; (iii) in a specialized institution, unless this runs counter to the interests of the child.

53. As regards article 10 of CRC, the Bulgarian Identity Papers Act makes provisions that any foreign national who has been permitted to stay in Bulgaria for a period extending more than three months, is entitled to obtain Bulgarian identity papers establishing the status of a resident foreign national. The terms and conditions, under which foreigners may enter, stay and leave Bulgaria, as well as their rights and obligations are regulated by the Foreign Nationals in Bulgaria Act (1998).

54. With reference to article 11 of CRC, the illicit transfer of individuals or groups of persons through the country, i.e. without the permission of the competent authorities or even with such permission not through entry/exit points designated to that end, is penalized under article 280,

paragraph 1 of the Penal Code with imprisonment from one to six years and a penalty of 500 to 2,000 BGN (250 to 1,000 euros). The aggravated form of this offence is quoted in article 280, paragraph 2, item 1, and includes transfer across the border of a person under the age of 16. Those offences are punished with imprisonment from 1 to 10 years, a penalty of 1,000 to 3,000 BGN (500 to 1,500 euros) and confiscation of the property of the offender. Bulgaria has concluded readmission agreements with all EU Member States to that end.

55. In 2003 Bulgaria ratified the Hague Convention on the Civil Aspects of International Abduction (promulgated SG No. 82 of 16/09/2003, in force as of 1 August 2003). In implementation of the Convention, Bulgaria undertook a series of measures to quickly establish and successfully finalize all cases related to illegal acts against the child's personality, harmonizing its procedural provisions with the Convention (see the Civil Procedure Code, Part Seven "Proceedings for return of a child or for exercising the right to personal relations", SG No. 84 of 2003).

56. In compliance with article 20 of CRC and in relation to article 9 thereof, support to parents for raising their children is constitutionally and legally regulated. A basic principle in the area of child protection is that the child should be in a family environment. CPA provides for possibilities to support parents in raising their children through measures for protection in the family environment. These measures include providing pedagogical, psychological and legal support to parents or persons to whom parental functions have been entrusted on issues related to the raising and education of children; consultations for parents or persons to whom parental functions have been entrusted on issues regarding social assistance and social services; ensuring cooperation to improve the social and economic conditions; social work to facilitate the relations between children and parents and family conflict and crisis resolution; support to adopters in their preparation to assume parents' functions; the adoption itself as well as protection of the rights of the child in ending the adoption. According to the law, every parent and all persons who take care of the raising and upbringing a child may request and are entitled to receive support by the Social Assistance Directorates (through the Child Protection Departments therein) and SACP.

57. The aim of the measures for protection in family environment is to support the family in raising the child with the view to preventing his/her being abandoned or placed outside the family. In the first half of 2005, social workers have dealt with 2,772 cases, for which it was possible to avoid the placing of 760 in specialized institutions, i.e. 28 per cent of total cases, as compared to 22 per cent over the same period in 2004, thus a certain improvement in the work of the Child Protection Departments can be observed. This is due mostly to the effective application of new methodologies and approaches in the social sphere.

58. In addition to legislation and procedures, efforts continue to encourage work with parents - elaborating educational programmes clarifying their responsibilities and rights and directing them regarding the proper exercise of those rights. There is a need to further develop the capacity of pedagogical counsellors in schools and to more clearly specify (in their job descriptions) the requirements that must be fulfilled to permit them to fully meet their responsibilities.

59. Concerning State support to parents, the financial subsidy is not yet wholly sufficient. Therefore, amendments to the Taxation of the Income of Natural Persons Act made in 2005, introduced some of the principles of the family income taxation, aimed at relieving household budgets of families with one child and more.

60. There is much room for improvement as regards the possibilities for consultations and counselling of marginalized groups. Parents from particular minority communities do not always seek advice in case of need. The reasons for that are intra-communal. A rational approach to solving this problem is providing services in the respective communities, through the appointment of mediators who facilitate the relation between the State and persons belonging to minority groups.

61. The Bulgarian legislation has provided for some specific measures aimed at ensuring adequate care for children and fair distribution of tasks between men and women. Safeguarding motherhood is essential for achieving equal opportunities and equal treatment of men and women regarding employment. Legal provisions set forth guarantees that care for the children will not limit parents in exercising their right to work. According to the Family Code, every female worker or employee is entitled to pregnancy and birth leave of 135 days for every child, of which 45 days before birth. In case the baby is stillborn or passes away or is placed in a childcare facility on full State subsidy or is left for adoption, the mother is entitled to 42 days of leave after the birth of the child. This leave may be extended, if the health authorities so decide, until the mother recovers her full working capacity. In those cases the female worker or employee is also paid financial compensation. After expiry of the pregnancy and birth leave the mother is entitled, if the child is not placed in a childcare facility, to additional leave for raising a first, second and third child till they reach the age of 2, as well as to six months for every subsequent child. The law provides for the possibility, with the assent of the mother/adoptive mother, that such leave be used by the father/adoptive father instead, or if he is working by one of the child's grandparents. During this leave, the mother/adoptive mother or any other person who has taken over the raising of the child is also entitled to a financial compensation, and the time of the leave is considered as length of service.

62. After the child has reached 2 years of age, the mother is entitled to unpaid leave until the child turns 3 years of age, unless the child is placed in a childcare facility. This type of leave may also be transferred to the father or to a parent of the mother or the father. The duration of this leave is also acknowledged as length of service. After exhausting the leave under article 164, paragraph 1 and article 165, paragraph 1 of the Labour Code in cases where the parents/adoptive parents are employed and the child is not placed in a childcare facility on full State subsidy, each is entitled, upon request, to an unpaid leave of six months for raising the child until he turns the age of 8. In case the mother/adoptive mother of a child of up to 3 years of age passes away or becomes seriously ill and as a result is not capable to look after the child, the respective part of the leave for birth, adoption and care of a small child is transferred to the father/adoptive father. With his assent, this leave may be used by one of the grandparents, in case that parent works under labour employment. When both parents of a child up to 3 years of age are deceased, if the child is not placed in a childcare institution, the respective part of the leave days is used by the

guardian, and with his assent - by one of the parents of the child's mother or father. The Labour Code also provides for leave, paid by the employer, for breastfeeding and feeding a small child. A collective labour contract may provide that a mother with two children up to 18 years of age be entitled to two additional working days, and a mother with three or more children up to 18 years of age - to four additional working days of paid leave.

63. The insured person is entitled to a compensation for pregnancy and birth if she has been insured for at least six months for all covered social risks, or at least for all covered social risks except for employment injury, professional disease and unemployment. The daily financial compensation for leave taken for pregnancy and birth is set at 90 per cent of the average remuneration or the insurance income of the respective person. This compensation may not be less than the minimum daily wage set for the country and may not exceed the average net remuneration for the period, on the basis of which the compensation has been calculated. The same conditions govern the entitlement of the insured person to compensation for raising a small child. After expiry of the term of compensation for pregnancy and birth, for the duration of the additional paid leave for raising a small child, the (adoptive) mother receives monthly compensation of an amount set forth in the State Public Insurance Budget Act. In cases where the additional paid leave for raising a small child is used by the (adoptive) father or another person who has taken over raising the child; a monthly financial compensation of a size set forth in the Budget Act is paid. Compensation is paid to the guardian if he benefits from the leave under article 167, paragraph 2 of the Labour Code. The compensation is also paid to those persons who make use of the leave for raising a child until the age of 2 placed with relatives or friends under article 26, paragraph 1 of CPA.

64. With respect to article 20, in relation to implementing a Government policy for the reform of the childcare system with a view to preventing abandonment of children and reducing the number of those raised in specialized institutions, a number of important strategic documents were adopted. Those aim at:

- Developing alternative forms of care and community-based social services;
- Providing different forms of social services on entry to institutions;
- Enhancing the quality of institutional care;
- Regulating the exit from institutions; and
- Reducing the number of children who are transferred from one institution to another.

65. The most important Government document is the Plan for reducing the number of children in institutions 2003-2005. In implementation of the Plan, an assessment of the specialized institutions in the country was carried out over the period May-October 2004 (86 homes for children deprived of parental care, 24 homes for medical and social care for children, 18 homes for mentally retarded children and juveniles, and 1 home for children with physical disabilities and regular intellect). Reports were submitted on the state of each of the homes assessed, and specific recommendations were made regarding their future development and raising the quality of childcare such as changing the care model, individualizing care, making conditions

correspond more closely to the family environment, preparing children for individual life and forming multidisciplinary teams, etc. (for more details on the results of the assessment, see www.sacp.government.bg). SACP proposed drafting specific plans for reforming those homes for children with disabilities that were found to be in the worst condition: those homes for mentally retarded children and juveniles in Berkovitsa (Montana region), Kosharitsa (Nessebar, Bourgas region), Iskra (Karnobat, Bourgas region), Mogilino (Rousse region), Gorna Koznitsa (Kyustendil region), “St. Dimiter” home in Kula (Vidin region), Sts. Marina home in Medven (Sliven region) and the home in Pazardzhik.

66. According to data received from the Child Protection departments in the country, as of December 2004 there were 162 specialized institutions for children. Children are placed there following the terms set forth in CPA. Children raised in institutions totalled 10,284, or 0.69 per cent of the total population of children up to 18 years of age which according to preliminary data of the National Statistics Institute, was 14,888,096. If children raised in social educational boarding schools and correctional boarding schools, are included, the total number of institutionalized children is 12,612 or 0.84 per cent of the child population. Given that the annual rate of reduction of the child population is 2.6 per cent, the decrease of children in specialized institutions is 5.4 per cent to 8.7 per cent in 2004. The decrease of the number of children in specialized institutions is mainly the result of the child protection system in place.

67. As far as the legal framework is concerned, the terms and conditions regulating the placement of children outside the family environment are generally formulated in CPA. A specific Regulation sets out the terms and conditions for application, selection and approval of foster families and placing children in foster families. By-laws have been adopted to regulate the institute of foster care, the forms of foster care, the payment and control of foster parents, as well as the powers of the child protection bodies. The Regulation also sets forth in detail the need for training of foster parents of children with disabilities. The amendments to the Regulation from 2004 further specify the term of training of persons applying to be foster parents of children with disabilities, and of children with emotional or behavioural deviations. Continuous training of foster families of those children was introduced with a view to their specific needs.

68. Developing a network of social childcare in the community was prioritized as one of the basic factors that most contributed to the reduction of the number of children placed in specialized institutions. In relation to the provision and development of social services at the community level in support of families in the process of child-raising, SACP has requested information from the regional governors in the country regarding the commitments of municipal mayors to the provision of social services for children at the regional level, child protection activities determined in the municipal strategies as well as information on the municipalities. The analysis of the data received identified financial constraints as a major problem in developing and providing accessible social services of sufficient quality and quantity. It was concluded that local Government bodies should be additionally stimulated to direct funds for social services according to the demands of the risk groups in the communities following a preliminary evaluation. Under its competence to award licences to providers of social services for children,

the chairperson of SACP has issued 116 licences for the provision of social services to children up to 18 years of age to natural persons registered under the Commercial Law and to legal persons. The following providers of social services for children have been licensed:

- Centre for social rehabilitation and integration;
- Training, preparation, consultation and support of foster families;
- Centre for consultation and support of children at risk;
- Centre for social rehabilitation and integration of juvenile delinquents and children from risk groups;
- Social assistance;
- Day-care centre;
- Centre for work with homeless children;
- Day-care youth centre;
- Hotline for children and youth;
- Centre for support and consultation of children who suffered violence;
- Crisis centre for children who suffered violence;
- Day-care centre for children with intellectual disabilities;
- Home assistance;
- Centre for consultations and training of applicant adoptive parents and adoptive parents;
- Centre for social and educational support;
- Day-care centre for homeless children;
- Centre for temporary placement;
- Safe house;
- Mother and baby unit.

69. In relation to the priorities of the Government Plan for reducing the number of children in institutions 2003-2005, and with the advancement of foster care in the country, SACP, with the support of the UNICEF office in the country, implemented the project entitled “Development of foster care in the region of Vratsa”. Training of local Government representatives and journalists from the local media on “The role of media for developing foster care in the community” were carried out. The training was accomplished and co-financed by “Save the Children” fund on the

basis of the identification of the need for training of those target groups, following the launch of the project. Training was also organized for applicants for foster parenthood and for the local governments. A draft Guide for work on foster care was elaborated, aimed at the child protection departments and the child protection commissions in the whole country. The results of a nationally representative study of the attitudes toward the development of foster care in the country were presented at a meeting held on 21 March 2006 of the National Council for Child Protection, a consultative body with the chairperson of SACP.

70. With reference to article 21 of CRC, the national legal regulation of adoption and the relationship between the adopted and the adopter is provided for in the Family Code, the Child Protection Act as well as Regulation No. 4 on the terms and conditions for keeping and maintaining a register of children for full adoption. Some changes are envisaged with the adoption of a new Family Code whereby the pre-adoption relationships will be regulated and harmonized with the Hague Convention on Protection of Children and Co-operation in respect of Inter-country Adoption. CPA provides for some essential changes in the regime of national adoptions that introduces a new philosophy in that area, namely:

- Every adoption should be based upon the selection of a suitable adopter for the child, and not of a suitable child for the adopter;
- Centralized collection of information on children suitable for adoption with a view to guaranteeing respect of their rights in the adoption process by identifying the most suitable adoptive parent, and applying the principle of subsidiarity to international adoption and of protection against trafficking in and sale of children. SACP maintains a national information system on children who may be adopted, and the Social Assistance Directorates in the country draw up and keep updated registers of children who may be adopted;
- In the period prior to adoption, the Child Protection Departments conduct a thorough review of the stability of the applicants requesting to adopt and submit a written opinion before the court in the form of a social report on the applicants' capability to adopt a child;
- The social report containing the opinion of the body that prepared it provides the basis for the court's judgement to allow adoption in the interest of the child;
- One of the measures for child protection in a family environment is support for the adopters in their preparation to assume and perform parents' functions, for the adoption itself as well as to the protection of the rights of the child in the case of ending the adoption.

71. According to data provided by the Adoption Councils and the Regional Social Assistance Directorates, the number of Bulgarian children adopted in Bulgaria in 2006 was 634 in Bulgaria and 225 abroad. For the first five months of 2007 the number of children adopted in Bulgaria was 225, and 21 abroad.

72. In relation to article 25 of CRC the State has undertaken all legal and administrative measures to ensure regular verification of the condition of every child placed in a foster family,

adoptive family, or a specialized institution for care and protection or for treatment of his/her physical or psychological state. The examinations are performed with respect to legal requirements and take into account the treatment, the duration of the stay and the views of the child.

73. In compliance with the Convention, CPA and the respective by-laws for its application provide general minimum standards necessary for the development of the child in family environment. A Regulation adopted in 2003 sets forth the criteria and standards for the social services for children and the control on their application in performing the following legally provided child protection measures: cooperation, support and services in a family environment; placement in the family of relatives or friends; placement in a foster family and placement in a specialized institution.

74. In relation to article 27, paragraph 4 of CRC, the legislation regulating child allowances reflects the principle of ensuring the best interests of the child. As regards claims for allowances and for their increase, accelerated proceedings as introduced with the amendments of the Civil Procedure Code in 1999 apply.

75. The State has undertaken all necessary measures in compliance with article 39 of CRC for the physical and psychological recovery and social integration of all children victims of neglect, violence, abuse or exploitation. An example of this are the measures envisaged in the National Plan for Counteracting Sexual Exploitation of Children for Commercial Purposes for the period 2003-2005. CPA explicitly provides for the right of the child to protection against all forms of violence and exploitation, including on the part of the parents. A child victim of such treatment is “at risk” within the meaning of the law and is entitled to special protection. Protection is rendered following the procedure provided for in the law in relation to measures undertaken in relation to the child.

76. The Penal Code defines the elements of the offences and the sanctions that apply in cases where sexual crimes against children have been committed. The major difficulty that child protection institutions and investigation bodies face is related to identifying when violence has been committed inside the family. In cases of sexual offences against children in institutions, the insufficient number of staff remains to be a problem. The need for carrying out information campaigns in schools concerning the sexual exploitation of children has been underscored - how to identify it, where and whom to inform about it. As becomes clear from the legal framework in force, the State has undertaken all measures to counter all forms of violence against children. However the legal framework is new and needs to be reviewed as a whole at a later stage (regarding article 39 of CRC, see also paragraphs 132-133 below).

VII. HEALTH AND WELFARE (art. 6, para. 2, art. 18, para. 3, arts. 23, 24, 26, and 27, paras. 1-3)

77. Care for children’s health is one of the priorities in the activities of the Ministry of Health. In 2000 a reform of the health-care system was initiated and three basic acts were adopted, namely: the Medical Treatment Facilities Act (1999, amended in 2005); the Health Insurance Act (promulgated in 1998, amended in 2005); the Physicians’ and Dentists’ Professional Organisations Act (promulgated in 1998, amended in 2004). In 2004 the Health Care Act was

also adopted. It determined the protection of citizens' health as a national priority. In general, the legal framework regulates the organization of medical and dental care, including their financing on the basis of health insurance. Chapter Four, section I of the Act is devoted to health protection of children and envisages that the state and municipalities, the legal and natural persons shall all create conditions to ensure a healthy life environment and normal physical and psychological development of children.

78. In relation to article 18, paragraph 3 of CRC, the Health Care Act provides for support of the family in raising children of up to 3 years of age. To ensure their normal physical and psychological development, nurseries and children's kitchens have been set up. Nurseries are organizationally independent structures where medical and other experts provide care, raise and train children from the age of 3 months to 3 years old. Children's kitchens are also organizationally independent structures, in which medical and other experts prepare, store and provide food for children up to 3 years of age. Nurseries and children's kitchens may be set up by the municipalities or by natural and legal persons. The support of children in the municipal nurseries and the work of the children's kitchens are subsidized from the respective municipal budget. Parents and guardians pay monthly fees as set forth by the municipal councils in compliance with the Local Taxes and Fees Act for childcare in municipal nurseries and for food from the municipal children's kitchens.

79. With reference to the application of the provisions of article 23 of CRC, it is important to note that in the last years the activities of the State and society in relation to children with disabilities have been aimed at:

- Integrating them with their healthy peers;
- Setting up suitable facilities for overall medical treatment; and
- Rehabilitation of day-care centres, specialized medical facilities, etc;
- Elaborating individual programmes by a team of experts for each child according to his or her potential;
- Providing medical and social services and financial support for the family;
- For example, the parents of children with disabilities do not pay fees in childcare facilities and they receive free-of-charge medications, as well as double child allowances.

80. The new Integration of People with Disabilities Act came into force in 2005. A National Strategy for Equal Opportunities of People with Disabilities was endorsed as well. International aid provided by the World Bank, the Bavarian Red Cross, the World Health Organization, and a number of foundations financing children's programmes have played a crucial role as regards financial support but also methodological help and the introduction of good practices in the sphere of childcare.

81. Providing personal assistants to children with disabilities and ensuring childcare in the family or close to family environment is a priority in the framework of deinstitutionalization of children with disabilities. As of 30 June 2006, under the Personal Assistant Programme a total of 1,980 persons have been appointed to assist 2,004 children with disabilities, 6 of whom have been taken out of specialized institutions.

82. The Child Protection Departments together with the Social Assistance Directorates apply the Child Protection Act as a main regulatory mechanism for placing children in institutions with a view to expanding and improving the quality of social services for children with disabilities. Work continues on the prevention of the abandoning of children. In this respect the efforts of the experts in the Child Protection Departments are focused at ensuring constant social and psychological support to children and their families, in which a problem has arisen, all care being taken to prevent, in compliance with the legal regulations, the abandonment and subsequent institutionalization of the child.

83. When children are placed in specialized institutions, the action plans regarding their cases are presented to the directors of the institutions concerned. Meetings of multidisciplinary teams are held to discuss changes occurring in the development of every child placed in a specialized institution. Certain difficulties arise when the directors of some specialized institutions do not inform the Child Protection Departments of developments and changes in the childcare plans. In this respect, the Child Protection Department, along with the Social Assistance Directorate is undertaking measures to establish better interaction between the management and the staff of those specialized institutions with a view to introducing a multidisciplinary and inter-institutional team approach in taking decisions regarding children.

84. A powerful means for avoiding the abandoning of children in institutions is the developed network of community social services. The opening of day-care centres for children with disabilities and the strengthening and expanding the capacity of existing centres aim at preventing the placement of children with disabilities in institutions. Child Protection Departments constantly analyse the demand for social services for children and families.

85. For the first six months of 2006 the following facilities were opened in the country:

- Four day-care centres for children and juveniles with disabilities;
- One shelter for homeless children;
- One centre of temporary placement of homeless children.

86. One of the established alternative forms of preventing institutionalization and raising children in a family environment, is to place them with the family of relatives or friends under the procedure set forth in the Child Protection Act. This can also be accomplished through the provision of services of personal assistant or social assistant.

87. The restructuring and reform of the specialized institutions for children with disabilities is implemented through the introduction and development of new forms of community social services and the reduction of the capacity and/or closing down existing institutions.

88. Day-care centres together with the Homes for Medical and Social Services for Children (HMSSC) continue to be opened as an alternative form of providing services to the community. This further diversifies and enriches the types of services in accordance with the demands in the regions.

89. More day-care centres with three new HMSSCs were opened in the first half of 2006, bringing the total number of homes providing this service to 19. In three other homes, work continues on providing equipment for the diagnosis and rehabilitation of hearing, speech and eyesight disabilities, premises are adapted and teaching aids prepared for a new type of service, namely, consultation and training of parents and adoptive parents.

90. Day-care and weekly care services are provided in the newly set up day-care centres and HMSSC for the rehabilitation of children with disabilities and children living in families in need of special care. The high quality of the equipment in the HMSSC, the medical facilities and aids, and qualified staff make it possible to provide such services to the community on an outpatient basis for medical rehabilitation of children suffering neurological and psychic disorders. This has a beneficial social effect on the parents and a psychological effect on the children with disabilities who are raised in families.

91. A mechanism for closing down, reforming or restructuring specialized institutions for children has also been established, while the establishment of commissions at the regional level to apply locally the adopted criteria and draft concept projects for closing down, reforming or restructuring specialized institutions for children remains pending. The Ministry of Health works jointly with SACP and the Ministry of Labour and Social Policy.

92. As of 1 May 2007, a total of 26 homes for 1,618 children and juveniles with disabilities are in operation. Of these, 1 home holds 66 children and juveniles with physical disabilities and 25 homes for 1,552 children and juveniles with mental disabilities.

93. At the same time, two institutions for children and juveniles with mental disabilities were closed down in 2005, in the village of Tri kladentsi (Vratsa region) and in the village of Dzhurkovo, Laki, Plovdiv region.

94. In the period from November 2005 to the end of June 2006 the State Child Protection Agency (SACP) has carried out planned checks of day-care centres and homes providing services to children with disabilities throughout the country regarding their compliance with the standards set under the Regulation on the criteria and standards for social services for children. A total of 59 day-care centres (of which 39 municipal, 14 with homes for medical and social services for children, and 14 with non-governmental organizations) have been inspected and the recommendations made have been presented to their directors. The results of these inspections show in general that the standards in providing social services are largely observed. The quality of the services provided is good and all centres have well-equipped facilities and trained staff. An identified problem is the individual supervision of the staff by the provider or a person authorized by him once a month. Most centres enjoy good interaction with non-governmental organizations.

95. With regard to article 24, the Health Care Act provides for the establishment of health-care units in nurseries, schools, homes for children and specialized institutions for children. These are responsible for medical supervision; health education and forming health habits; rendering emergency aid; control of children's hygiene; control of the hygiene of the premises and food; establishing and maintaining medical records. A physician, a medical auxiliary or a nurse performs the activities in those units. The respective regional health-care centre exercises control over their work. Prophylactic medical and dental care of children and students in nurseries, kindergartens, schools, homes for children deprived of parental care and specialized institutions for children is ensured through an annual inspection of the records of examinations conducted or prophylactic medical and dental examinations performed. Those activities are financed from the National Health Insurance Fund.

96. In the area of health care, the Government of Bulgaria adopted a special Health Strategy for Disadvantaged Persons from the Ethnic Minorities (2005) with a respective Action Plan for its implementation, which is updated every year. The Ministry of Health financed the refurbishment and the equipment of medical practices for general practitioners in predominantly Roma neighbourhoods, as well as projects for educational and medical integration of the so-called vulnerable groups, including Roma. National and regional programmes for health education are elaborated and the training of Roma leaders is being organized.

97. A pilot project for the selection of Roma mediators to support the medical staff in servicing Roma population is being implemented with the support of the municipalities of Assenovgrad, Stara Zagora and Shoumen.

98. Fully hygienic immunization facilities provide free-of-charge immunization with vaccines. Regions with concentrated Roma populations have been covered from door to door to ensure that children are immunized. Organizational and methodological support has been rendered to the medical experts in schools. Information and educational campaigns are carried out in cooperation with the regional and national media.

99. In compliance with articles 26 and 27 of CRC, social assistance to children in Bulgaria is provided through supporting either children or their parents and guardians as regulated in the Family Children Allowances Act, the Social Assistance Act and the Rules for its Implementation etc. Pursuant to article 2, paragraph 2, of the Social Assistance Act, social assistance is the provision of allowances in cash or in kind benefits and services necessary for the satisfaction of the basic living needs of citizens in those cases where their labour or property income is not adequate. All those Bulgarian citizens, families, and cohabitants who, due to health, age, social or other reasons outside their control, are unable either individually, or with the help of their legal dependants, to obtain through their labour or property, sufficient income to meet their basic necessities of life have a right to social assistance.

100. Pursuant to the Family Children Allowances Act, child allowances are as follows: one-time financial allowance for pregnancy; one-time financial allowance for the birth of a child; monthly allowances for a child until he/she graduates from secondary school, but not beyond 20 years of age; monthly allowances for raising a child up to 1 year of age; special allowances for students. Family child allowances under this Act are financed with funds from the budget of the Republic. A Social Assistance Agency has been set up by the Minister of Labour and Social Policy to implement the state policy on social assistance.

VIII. EDUCATION, LEISURE TIME AND CULTURAL ACTIVITIES (arts. 28, 29 and 31)

101. In relation to article 28 of CRC, the basic legal acts that regulate this matter, namely the Constitution and the Public Education Act (PEA), provide for the absolute right to education of every child, mandatory education until the age of 16, and free of charge primary and secondary education in State and municipal schools. In accordance with the Public Education Act, school education starts at the age of 7, from the year when the pupil has enrolled in first grade. Children who have turned 6 years of age may also be enrolled in first grade if their physical and mental development, in the judgement of their parents or guardians, so permits. Enrolment in kindergartens is at the discretion of parents or guardians. Since the 2004-2005 school year, preschool preparation of children a year prior to their enrolment in first grade is mandatory and is provided free of charge for preparatory groups in kindergartens or preparatory classes in schools. According to the Rules for the Implementation of the Public Education Act, children, as citizens of the Republic, are entitled to their right to education regardless of their age.

102. In principle, school education starts at the age of 7 and is mandatory till the age of 16. The right to education also includes the right to education in a school of the child's choice and following a preferred form of education. Education in State and municipal schools provided within the framework of the State education requirements, is free of charge. Furthermore, pupils may also use, free of charge, school premises for education and development of their interests and skills. Noting the fact that the conditions for education set by the state are equal for all children, the Rules for the Implementation of PEA nevertheless add that opportunities for individual and independent education are set in place for talented children. PEA differentiates between the subjects of the right to education in accordance with their health status. Children suffering chronic diseases and children with special needs may enrol in special boarding schools.

103. According to the Constitution and PEA, children for whom the Bulgarian language is not native are entitled, in parallel to the compulsory study of the Bulgarian language, to study their mother tongue in municipal schools under the protection and control of the State. Textbooks and teaching aids as well as teachers and methodological education guidance are provided for studying mother tongues in comprehensive schools. The Ministry of Education and Science has ensured, with the entry into force of the Education Degrees, the General Education Minimum and Curriculum Act, the financing and organization of education in the mother tongue within the compulsory curriculum. It will continue to provide methodological support to the study process.

104. According to national law and CRC, no restrictions or privileges regarding the right to education based on race, nationality, sex, ethnic and social background, religious denomination and social status are allowed.

105. The Council of Ministers has adopted two National Programmes aimed at supporting socially disadvantaged children and young people. In its work on overcoming the problems of Roma the Ministry of Education and Science (MES) is governed by several basic principles, such as:

- Raising the level of education of Roma children is a prerequisite for their integration in Bulgarian society;

- Ensuring possibilities for implementing various initiatives in places inhabited by Roma is a prerequisite for their successful involvement in different employment modalities;
- Using the potential of organizations closest to the Roma communities and with established mechanisms for working with them is a prerequisite for implementing successful education strategies;
- Support for various pilot-working models is a basis for developing successful practices and setting trends that are a prerequisite for formulating and applying long-term strategies in the area of education.

106. A comprehensive Concept for education integration of children and pupils belonging to ethnic minorities has been elaborated in the area of education. It has a special focus on Roma children. A Strategy to ensure equal integration of children and pupils from ethnic minorities in the education system (2004), a National programme for further integration of children in school age (February 2005) and an Action plan for its implementation (June 2005) have been adopted. A Centre for Education Integration of children and pupils from ethnic minorities (with a budget of 1 million BGN for 2006) has been set up.

107. An Advisory Council on the education of children and pupils from ethnic minorities is working under MES. It elaborates specific measures to promote the integration of Roma pupils with their peers. At present the project for integrated schools is being expanded and more than 20 schools and 10 kindergartens have been involved.

108. The process of integrating Roma children and pupils in kindergartens and schools outside Roma neighbourhoods continues. As a result of the joint efforts of the Ministry of Education and Science and the non-governmental organizations, 3,500 pupils living in predominantly Roma neighbourhoods have been integrated in comprehensive schools outside those neighbourhoods and 106 assistant teachers support the education integration of Roma children in comprehensive schools.

109. The database of ethnically mixed kindergartens and schools is being updated. Data on the number and grades of integrated Roma children is summarized on the basis of reports of the regional education inspectorates on the implementation of the annual plans for integration of children and pupils from ethnic minorities.

110. The Ministry of Labour and Social Policy, for its part is implementing a programme for “Child welfare reform” aimed at preparing children of preschool age from disadvantaged families (mainly of Roma origin) to enrol in first grade. In the 2006 school year, 3,721 children were covered by the programme.

111. With the financial support of the Fund for social aid children’s canteens have been set up as a social mechanism for attracting children to schools. Textbooks for the second grade are provided free of charge to all socially disadvantaged children, including Roma, and Roma children are transported to schools. Some 12,500 children and pupils from socially disadvantaged Roma families in 32 municipalities in the country benefit from financial aid. More than 1 million euros has been provided for sports facilities, musical instruments and didactic games in 10 schools and 10 kindergartens as well as computer equipment for 20 PC rooms in

integrated schools. More than 13 million euros has been earmarked for reconstruction and equipment of integrated schools and kindergartens for the period up to 2009. In grades I to IV, transport, textbooks and snacks are provided free of charge. Fifty million BGN from the state budget is earmarked to this end.

112. Regulation No. 6 (2003) of the Minister of Education and Science on the education of children with special education needs and/or suffering chronic diseases has put an end to cases of enrolment of children with intact intellect in specialized schools (the so-called rehabilitation schools).

113. PEA and the Rules for its implementation envisage different forms of education (independent and individual), which allow children who are not capable of attending schools to receive education. Specialized individual curricula are elaborated. These will be implemented by the school where the child has been enrolled and envisage transferring the study process to the home environment.

114. The system for education and upbringing of children with disabilities (children with special education needs), of children suffering from chronic diseases, children with deviant behaviour and children deprived of parental care differs between the different groups.

115. The trend is that most of the children with disabilities are integrated in mainstream schools where their peers study. This is provided in current legislation, yet further efforts are needed to prepare teachers, children and parents for involving children with disabilities in mainstream education and for ensuring additional financial resources for this process, e.g. securing physical access of children with motor disturbances to all schools.

116. Pursuant to PEA “it is the responsibility of schools to create conditions to include children suffering chronic illnesses and children with special education needs in mainstream schools”, and according to the Rules for the implementation of the PEA kindergartens, schools and support units should create conditions for integrated upbringing and education of children and pupils suffering chronic diseases and/or children with special education needs.

117. The Vocational Education and Training Act set up a clear legal basis in the area of vocational education and training of children with special education needs. According to their preferences and without sitting entry exams they are directed to profiles and professions that are compatible with their health status. Vocational training and education following curricula in line with their health state or status are provided to children with special educational needs. A list of professions has been approved for training children suffering chronic illnesses, children with physical and sensor disabilities. Curricula for vocational training of children with mental disabilities have been elaborated for the following professions: upholsterer, florist, worker in the public catering sector, seamstress. Curricula for vocational training of children with sensor disabilities are being elaborated. Good practices of integrated vocational training of mentally retarded children and children with sensor disabilities have been established. A day-care form of education is followed and in particular cases individual education is provided. Children with deviant behaviour follow the vocational education and training curricula for a particular profession on a full or a part-time basis.

118. In this context specialized schools gradually acquire new functions. They may admit children suffering severe or multiple disabilities. Those schools turn into resource centres to support integrated children and pupils and provide practical experience for teachers. New trends have been initiated in the upbringing of children deprived of parental care such as placing them in foster families, or with relatives and friends.

119. The system of schools for children with special educational needs covers a total of 130 schools falling into the following categories:

- Schools (I to VIII grade) for mentally retarded pupils - 80 in number. Pupils with severe disabilities, with multiple disabilities (e.g. mental retardation and impaired hearing) and accompanying behavioural deviations are trained there following special curricula. The education and training process is organized in semi- and full-boarding type of schools. In some of the rehabilitation schools vocational education and training units have been set up for the acquisition of professional qualifications.
- Schools for children with impaired hearing - two in number. Training follows the mainstream curricula and is of a boarding-school type. Special curricula are elaborated for special study courses (pronunciation and speech formulation). The vocational classes set up in those schools apply the curricula for those respective schools approved by the MES. Pupils following the curricula of the specialized vocational secondary schools receive a certificate for secondary education with professional qualification.
- Schools for visually impaired children - two. Training follows the mainstream curricula and is of a boarding-school type. Special curricula are elaborated for special study courses (orientation and mobility, useful skills, eyesight support, early warning reactions).
- Recovery schools - 33 in total. Pupils with permanent chronic illnesses (e.g. diabetes) study there. Training follows the mainstream curricula and is of a boarding-school type.
- Hospital schools (I to VIII grade) - two. Those are set up in hospitals. Training follows the mainstream curricula.
- Sanatorium schools (I to VIII grade) - five. Those are set up with sanatoriums and the training there follows the mainstream curricula.
- Speech correction schools and centres - six. Correction of tongue and speech disabilities is carried out there. Children visiting those centres study in mainstream schools and visit the speech correction centres in extracurricular time.
- Day-care centres for mentally retarded children and juveniles (outside the normal home environment) are set up with the Ministry of Labour and Social Policy. They are 32 in total. Upbringing and correctional work goes there on a yearly basis following curricula approved by the Minister of Labour and Social Policy.
- Day-care centres for mentally retarded children and juveniles (in their normal home environment) - 15 in total. These are an alternative form of care for children at risk,

which is gaining more and more popularity as one of the most efficient social services for children with disabilities. There through a comprehensive social rehabilitation, education and labour therapy children and juveniles with disabilities get the opportunity for better integration in society and their families receive help and support.

- Home for children and juveniles with physical disabilities and intact intellect- one. Specialized social services are provided there throughout the year aimed at compensating their functional limitations, adequate to their individual demands and developing their individual capacity for independent life.
- Social educational professional facilities - 10 in number. Orphans, children and juveniles with mental and/or physical disabilities are placed there. To those above the age of 14 professional qualification and requalification is provided.
- Children village “Kachulka” (“The Riding Hood”) - one. This is the single facility of this type in the country. It combines several types of social services. In the framework of the village there is a home for children with physical disabilities and light mental retardation

120. As mentioned above, in the framework of the Child Welfare Reform project it was envisaged that 14 institutions for children with disabilities would receive technical support and additional equipment with a view to developing pilot services and facilitating deinstitutionalization of children with disabilities. The activities envisage: introducing new methods and standards in cooperation with the management of social facilities; training of staff; elaborating individual plans for childcare; work with children in small groups; regular involvement of the board of trustees of the social facilities composed of members of the community as a form of control and commitment on the part of the community to the work of the facilities on its territory; providing services for children in the community etc.

121. The following provisions of the Rules for the Implementation of PEA guarantee the fulfilment of the requirements specified in article 29 of CRC:

- The public education system ensures acquiring and forming fundamental and national values, virtues and culture; developing the personality of the child and stimulating its artistic talents; moral, physical and social development and healthy life;
- Children in kindergartens are raised, brought up and educated in an environment that guarantees equal opportunities for physical, moral and social development; their rights, freedoms and safety; respect for their dignity; respect and love to the child; upbringing in the spirit of understanding, peace and tolerance; affiliation to national traditions and cultural values.

122. Pursuant to the Education Levels, General Education Minimum and Curriculum Act, the general education of pupils is based in the following principles:

- Fundamental human rights;
- Rights of the child;

- Traditions of the Bulgarian culture and education;
- World cultural achievements;
- Values of civil society;
- Freedom of thought and freedom of conscience.

123. To promote equal access of children to quality education and preparation and to their subsequent full social realization, SACP initiated holding a conference jointly with MES on the problems of school dropouts. The conference took place in June 2004 and put for discussion the basic problems that lead to school dropout. It gave directions and recommendations to overcome those situations where children are left on the margin of or outside the education system.

124. Following the amendments to CPA in 2003 giving new powers to the chairperson of SACP and the need of State guarantees for effectively exercising the rights of the child, the “Control of the rights of the child” General Directorate jointly with SACP exerts control as regards respect for the rights of the child in all State, municipal and private schools, support units, medical treatment facilities, Social Assistance Directorates, specialized institutions for children, nurseries and kindergartens and all other not-for-profit legal entities working in the area of child protection. For the period November 2004-March 2005 the “Control of the rights of the child” General Directorate has performed thematic planned checks in the rehabilitation schools in the country in relation to guaranteeing the right of the child to education in rehabilitation schools through lawful application of PEA and in particular guaranteeing the best interests of the child in directing him to a rehabilitation school only after all possibilities for studying in a mainstream school have been exhausted. The checks identified both good practices and deficiencies and violations. One of the reasons for the latter is the contradictory legal framework and the insufficient awareness of the staff. Part of the difficulties that diagnostic teams in the rehabilitation schools encounter is the result of their over workload but also of the lack of uniform standard methodology for evaluating the education needs of children. That is why legal acts are applied in a different manner, not always in full compliance with their provisions.

125. The right of the child to rest and leisure, play and recreational activities suitable for his age, and to free engagement in cultural and artistic life envisaged in article 31 of CRC is exercised mainly through the work of the State Agency for Youth and Sports (SAYS). It is a body of the executive power, which directs, coordinates and controls the implementation of the state policy for youth, physical education, sports and sports tourism. One of the basic programmes of the SAYS is Youth and Children Activities. It is updated on a yearly basis and provides for possibilities to perform activities in support of initiatives of organizations working for the full development of children and youth in the country. Financial and expert support has been extended to projects related to:

- Work on problems of disadvantaged children;
- Children and youth competitions, festivals, seminars, folklore fests etc.;
- Seminars and round tables devoted to solving problems of children related to violence, drugs, discrimination, health, education etc.

126. The Holidays and Sports Programme started in March 2006. It takes place from 1 to 9 April every year and is aimed at all pupils throughout the country. Under the programme, some 80,000 pupils in Bulgaria are able to practice sports free of charge by just presenting their student identity card. To this end, SAYS has earmarked 93,000 BGN from its budget. SAYS' partners in the implementation of the programme are the Ministry of Education and Science, the municipal administrations and sports organizations. In the sports and medical centres (Vratsa, Mezdra etc.) the organizers provide the possibility for students with spinal curvature, pulmonary and other diseases to engage in sports suitable for the respective category of diseases under the direct supervision of physicians' teams.

IX. SPECIAL PROTECTION MEASURES (arts. 22, 38, 39, 40, 37 (b)-(d), arts. 32-36)

127. In compliance with article 22, there is a developed legal regulation and an institutional mechanism in place for the protection of unaccompanied children seeking refuge and refugee children. Bulgaria is a party to the United Nations Convention Relating to the Status of Refugees of 1951 (promulgated SG No. 88 of 15 October 1993). State policy with regard to those children is implemented by the State Agency for Refugees together with the Council of Ministers in compliance with the Refuge and Refugees Act (in force as of 1 December 2002). Measures undertaken with regard to unaccompanied refugee children are in line with the international criteria for good practice. Major guiding principles are the best interests of the child, timeliness, and cooperation between organizations. The 11 principles of good practice of the EU for work with unaccompanied children are applied in full. The asylum procedures follow the principles of accessibility to the territory of Bulgaria (*non-refoulement*), provision of interpretation, and non-applicability of accelerated proceedings. The proceedings for granting protection include the following: early identification; precise registration; interview in the presence of a representative of the Social Assistance Directorate or the Child Protection Department in the Social Assistance Agency; age assessment; appointment of a guardian/custodian and a legal representative; collection of data and positive humane and expedient search of the family. The provisional care during the proceedings for granting protection includes:

- Placement under safe conditions in refugee registration and reception centres;
- Social assistance in the form of cash aid for food and food packages in the volume envisaged for an adult foreign national;
- Health insurance, directing to a general practitioner, examinations and treatment as envisaged for Bulgarian citizens;
- Psychological consultations;
- Access to Bulgarian language training and opportunity to enrol in the school education system in state and municipal schools, art schools, ancient languages schools and the Italian lyceum in Sofia.

128. After a decision has been ruled on the application for asylum, actions with a view to finding a lasting solution are undertaken such as search of family and family reunification; placement in homes for children deprived of parental care with MES by way of a court ruling upon a proposal of the Social Assistance Agency; integration in Bulgaria.

129. In the framework of the “Separated Children in Europe” programme (a joint initiative of members of the “Save the Children” international alliance in Europe and the United Nations High Commissioner for Refugees), Guidelines for Good Practice were published and distributed. They describe in detail the necessary policies and practices to guarantee and protect the rights of unaccompanied children in Europe and aim at assisting interviewing bodies, lawyers, social workers, psychologists, teachers and other professional groups in their daily work.

130. In relation to article 38 of CRC, it must be noted that Bulgaria has ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict on 2 November 2001. Bulgaria undertook, in the process of ratification, a review of its domestic legislation to ensure its harmonization with the requirements and standards set forth in the Optional Protocol.

131. Bulgarian legislation does not provide for the involvement of children in armed conflict or their recruitment in the army. Persons under the age of 18 who are under Bulgarian jurisdiction may not be recruited for service in the army. Pursuant to article 97, paragraph 1, of Bulgaria’s Defence and Armed Forces Act, the minimum age for conscript military service is 18, and the maximum age is 27. Bulgarian legislation provides for the possibility to substitute military duties with an alternative service (article 84, paragraph 1, of the same Act).

132. In relation to article 39 of CRC, measures aimed at the protection and reintegration of the child are implemented by SACP, the Social Assistance Directorate and the child protection bodies, and in the case of police protection - of the Ministry of Interior bodies. The protection measures are taken in the family environment or outside the family through the placement of children in the family of relatives or friends, in foster families or specialized institutions for the raising and upbringing of children. Police protection is provided as an emergency measure within 24 hours.

133. A number of provisions of CPA envisage protection of the child against violence and other forms of influence such as involving him/her in activities harmful to his/her physical, psychological, moral and education development, use of degrading methods for upbringing as well as physical, psychological or other force or forms of influence that run contrary to his/her interests, using the child for begging, prostitution, distribution of pornographic materials, receiving unlawful financial benefits and sexual violence, involving the child in political, religious and trade union activities.

134. As regards article 40 of CRC, it is important to note that Bulgarian legislation avoids criminal proceedings in relation to juvenile and minor delinquents. The presumption applies that social measures and correctional influence measures, rather than penal ones, would have a stronger impact on the child for changing his behaviour. Actions to counteract child antisocial behaviour are regulated by the Juvenile Delinquency Act, which regulates the functions and work of the whole system of prevention of and counteracting child antisocial behaviour. As required by the United Nations Minimal Standard Rules for Jurisdiction for Minors, to avoid

penal repression, provisions of the Penal Code refer to the Juvenile Delinquency Act. Those provisions are included in a special chapter on Special Rules for Minors. The system for the prevention of and counteracting child antisocial behaviour includes the following bodies: the Central Juvenile Delinquency Commission with the Council of Ministers, local juvenile delinquency commissions in municipalities and regions, public supervisors and social workers, child pedagogical units and homes for provisional placement of juveniles and minors with the Ministry of Interior, social educational boarding schools and correctional boarding schools with the Ministry of Education and Science, and shelters for homeless children.

135. Pursuant to the Penal Code, the minimum age for criminal liability is 14. Children below that age may not assume criminal liability and only the prevention correctional measures envisaged in article 13 of the Juvenile Delinquency Act may be applied to them. The correctional measures may be: warning; obligation to apologize to the victim; obligation to take part in trainings and other programmes aimed at overcoming behavioural deviations; placement under correctional supervision of parents or persons who replace them, with the obligation to enhance their care of the child in question; prohibition to visit particular places and locations; prohibition to meet or establish contacts with certain persons; prohibition to leave the present place of residence; obligation to repair the damage caused with his own labour, if such is within his capacity; obligation to work for the public benefit; placement in social educational boarding school; warning for placement in social educational boarding school with a probation period of six months; placement in correctional boarding school.

136. The amendments of the Juvenile Delinquency Act provided that in hearing correctional cases the rights and legal interests of minors and juveniles are protected by their trusted representative or a lawyer. The minor, his parents, the juvenile's parents or the persons who replace them or the persons who protect his rights and legal interests may, within 14 days, appeal before the regional court the ruling imposing correctional measures under article 13, paragraph 1, items 3 to 10 and 12, of the Juvenile Delinquency Act. The regional court makes the ruling, which imposes a correctional measure under article 13, paragraph 1, items 11 or 13. Such ruling maybe appealed against or protested before the respective district court by the persons under paragraph 2 of the Act, within 14 days of the date of the ruling.

137. In compliance with the Minimal Standard Rules for Alternative Resolution of the Conflict between the Minor Offender and the Law, the provisions of article 63 of the Penal Code differentiate with respect to the age of the offender provide for reducing the term of imprisonment in cases in which a minor has committed the offence. Imprisonment, arrest and placement in correctional boarding school are viewed as measures of last resort. Life imprisonment is not applied to minors. There are possibilities to substitute punishments under the Penal Code with administrative and correctional measures under the Juvenile Delinquency Act. Each stage of jurisdiction envisages provision of support and care, such as education, professional training and consultation.

138. The review of legislation and practice shows some deficiencies as regards access to specialized bodies in all stages of jurisdiction where minors are involved. The decision-making bodies - courts, investigation services and prosecution services, are not specialized bodies. However, prison staff involved is specially trained to work with minors. There is no specialized professional system to support the reintegration of those released from correctional and social educational boarding schools. Pursuant to the Juvenile Delinquency Act the local Juvenile

Delinquency commissions have certain functions in relation to the reintegration. The measure envisaged is the appointment of a public supervisor who cooperates with the local commissions but does not have special qualifications. Pursuant to article 10, paragraph 1, item (e), of the Juvenile Delinquency Act, the local commissions render support to persons leaving correctional and social educational boarding schools and shelters for homeless children, to arrange household, labour and social issues, before the competent bodies. The Action Plan for the implementation of the National Strategy for prevention and counteracting antisocial behaviour and juvenile delinquency envisages measures for social integration through professional training of juveniles and employment of minors who have been released from correctional facilities.

139. As mentioned above, one of the powers of the chairperson of SACP is to exercise control as regards respect of the rights of the child. The “Control of the rights of the child” General Directorate with SACP has performed thematic planned inspections in the period May-June 2006 in relation to the respect of the right of the child to life in a family environment through lawful application of articles 9 and 40 of CRC. The results of this review showed that there were cases where the rights of some children placed in social educational boarding schools had been violated for the following reasons:

- Unlawful placement;
- Unlawful extension of the term of stay in the social educational boarding school;
- Lack of individual correctional work with the child to achieve the correctional effect of the measures specified in the Juvenile Delinquency Act.

140. Alongside the identified deficiencies and cases of violations, a series of good practices were also established, that demonstrate the strong commitment of most of the staff to develop the institutions and their concern for the children and for their needs. Six regional meetings were organized to report the results of the checks and to disseminate the good practices among partners from the child protection system and the management of the institutions. Regional analyses and the national analysis on the performed inspections were also presented during those meetings. SACP, with the support of UNICEF, published a bulletin on the right to education of children with special educational needs.

141. In relation to the legislative and practical application of the provisions of article 37, paragraphs (b) to (d) of CRC, police bodies may detain minors who have committed a crime. Minors are entitled, as of the moment of their detention, to legal defence. The term of detention may not be longer than 24 hours. The detainees are brought to the places of detention by way of a written order issued by the police bodies. The police authorities must immediately release the person if the grounds for his detention have ceased to exist. The legal regulation, the policy endorsed and the practice established clearly show that the arrest of children is used as a last resort measure for the shortest possible term subject to minimum age limits.

142. The Criminal Procedure Code regulates the conditions of preliminary detention and the procedure applicable to minors. The criminal procedure measures of remand are the following: (a) supervision by parents or guardians; (b) supervision by the administration of the correctional facility where the minor is placed; (c) supervision by the inspector at the child pedagogical unit

or a member of the local juvenile delinquency commission; detention. Detention is applied only in exceptional cases. In such cases minor's parents or guardians as well as the director of the correctional facility if the detained is a pupil, are instantly informed.

143. As mentioned above, the Penal Code provides for special rules that regulate the penalties applicable to minors. These are deprivation of liberty, probation, public censure and revocation of the right to practice a certain profession or activity. Deprivation of liberty may be imposed only on a person who has turned the age of 14. The maximum duration of the penalty pursuant to article 63 of the Penal Code is up to 10 years for children of 14 to 16 years of age and up to 12 years for children of 16 to 18 years of age. Various guarantees are provided for in the legislation to ensure that deprivation of liberty is only imposed as a last resort. Article 61 of the special rules provides for the possibility for the court to impose a correctional measure under the Juvenile Delinquency Act in those cases where the crime is not publicly dangerous and correctional measures may be successfully applied to the minor. Automatic substitution of deprivation of liberty up to one year, by placement in a correctional boarding school or another correctional measure under the Juvenile Delinquency Act is also envisaged.

144. In 2005, the new amendments to the Penal Code entered into force. They enlarge the scope of envisaged penalties to minors by introducing probation as an alternative to imprisonment. The probation measures are as follows: mandatory registration at the current address of residence; mandatory regular meetings with a probation officer; restricted freedom of movement; enrolling in vocational education and/or public intervention programmes; correctional labour; unpaid labour in public benefit. The latter two measures are applied only to minors above the age of 16. The conditions under which detention and deprivation of liberty are applied to minors are subject to effective control by the State. The Execution of Penalties Act contains special provisions for the application of deprivation of liberty to minors.

145. The law provides for the possibility review the imposed penalty of deprivation of liberty through reviewing the terms under which it is served and early release. The minor himself however may not initiate the review. The proposal is made by the administration of the correctional facility, by the local commission for juvenile delinquency, or by the prosecutor before a special commission, and the decision is taken by the court. In case of detention of a minor, the law explicitly provides for his placement in separate premises apart from adults. This guarantee is also observed in relation to serving deprivation of liberty penalties. It must be noted that conditions of the premises for custody while the investigation is underway are still not fully up to international standards, regarding access to light, living area, etc. Representatives of the judiciary are more and more of the opinion that it is necessary to set up a special investigation custody facility for minors. The right of the child to maintain contact with his family through correspondence and visits in case of detention and serving deprivation of liberty is explicitly provided for in the special provisions applicable to minors of the Execution of Penalties Act.

146. The child is entitled to legal aid and appeal in all proceedings affecting his rights or interests. The Criminal Procedure Code guarantees judicial control over the detention and the deprivation of liberty of a child. The Legal Aid Act, in force as of 1 January 2006, regulates legal aid on penal, civil and administrative cases before all judicial instances. Pursuant to the Act legal aid is rendered by attorneys-at-law and is funded by the State.

147. Bulgaria has adopted, in compliance with article 32 of the Convention, a detailed policy and legal regulation in relation to counteracting the economic exploitation of children. According to the law, the minimum age for admitting a person to work is 16 years of age. With the explicit consent of parents some exceptions may be made for children of 15 years of age. They may perform easy work that does not pose any threat to their psychological or physical health.

148. The list of activities that minors are prohibited to perform is very long. One hundred and thirty-four sectors are banned. Work should in no case involve exposure to hazardous biological or chemical materials, dark light, or increased levels of humidity. Minors are not entitled to overtime and to night labour, that is from 8 p.m. till 6 a.m. In 2005, regional inspectorates have issued a total of 199 work permits for children up to 16 years of age and 5,703 permits for children under 18.

149. A National Strategy for the Protection of the Rights of Children in the Street for the period 2003-2005 adopted in 2003, became an important element of reform of the childcare and protection system. The Strategy was elaborated as a result of the identification and in-depth analysis of the reasons that bring children to the streets. The problems of homeless children and their families were discussed at several working meetings held by experts from SACP with representatives of governmental and non-governmental organizations with experience in working with this particular group of children. Good models of work were presented, the need to create conditions for the dissemination of good practices was identified, and the major problems and hindrances rendering work with homeless children less efficient were identified. The basic aims and activities of the Strategy focus on overcoming the identified deficiencies and formulating a uniform policy for street children, namely: creating alternative care, guaranteeing and ensuring the right to education, the right to health care and the right to protection in family environment. In implementation of the Strategy, SACP elaborated an Action Plan for begging children in coordination with the Ministry of Interior and the Social Assistance Agency. The Plan is of a conceptual nature with a view to the specific characteristics and different resources of the municipalities where it will be implemented. Its implementation will enhance achieving the following longer-term objectives:

- Forming multidisciplinary teams and establishing sustainable mechanisms and practices for work with begging children and prevention of child begging;
- Forming negative public attitude in the community and intolerance of child begging;
- Applying established practices in other municipalities;
- Incorporating the established mechanisms and practices in the child protection system;
- Elaborating proposals for legislative amendments with a view to optimizing the legal framework and creating better opportunities for work with street children.

150. As a follow-up, standing multidisciplinary teams for fieldwork with begging children and children working on the street have been formed in 128 municipalities in the country which monitor, control, identify and register street children and support the social work for them and their families. As of April 2006, 601 cases of begging children have been identified, and are

registered as being in need of special protection. For each of the registered children, an individual action plan is drawn and protection measures, mostly for protection in the family environment, are taken in accordance with the Rules for the Implementation of CPA; 52 children are placed in specialized institutions, 2 - in foster families, 3 - with relatives and close friends.

151. In 2004 a project of the International Labour Organization (ILO) was launched in Bulgaria to offer technical support in counteracting child labour and sexual exploitation of children, including trafficking in children in the CEE countries (PROTECT-CEE). A national coordinator was appointed in March 2004. Subsequently a Memorandum of Understanding was signed between ILO and the Bulgarian Government. The project aims at setting up a child labour monitoring system through:

- Support to the competent bodies in the country (Social Assistance Agency, SACP and General Labour Inspectorate) for building capacity for the identification of working children;
- Support to the above-mentioned institutions in the elaboration of a methodology and methods, including instruments for monitoring;
- Pilot launching of the system through directing children to existing education and social services locally;
- Recording good practices and presenting them to the Ministry of Labour and Social Policy via the National Council on child labour.

152. With regard to the adoption of legislative, administrative and social measures for the protection of children from the illicit use of narcotic drugs and psychotropic substances, the Bulgarian Penal Code, pursuant to article 33 of CRC, explicitly prohibits the use and production of and trafficking in harmful narcotic drugs and psychotropic substances and provides for severer penalties in case the offences are committed against juveniles and minors. The law explicitly sets the minimum age for purchase of alcohol and tobacco. Medical therapies and rehabilitation services are provided for children abusing drugs. In addition to the legal framework, a series of government documents have been adopted for the prevention of drug addictions among children, such as the National Strategy for Fighting Drugs and the Action Plan for Reducing the Demand of Narcotic Drugs. In 2005 these documents were harmonized with the new European Union Drug Strategy (2005-2012) and the Action Plan thereto. The activities envisaged in these documents are implemented on the national level in cooperation with the NGOs (Mothers against Drugs Association) and the Public Children Council set up with the SACP chairperson.

153. A survey is under preparation as a result of the cooperation between members of the working group on prevention of drug addictions at SACP and the Public Children Council. It is aimed at outlining the scale of the problem of the use of psychoactive substances by children in the country and the attitude of children to drug addictions in general. The basic idea of this survey is to provoke critical thinking of children and youth in the country on that issue and to give directions for more efficient prevention work uniting the efforts of the institutions and the NGOs in the fight for reducing the demand of children for narcotic drugs. This will allow students to talk openly among themselves on that matter and to propose specific solutions.

154. Since 2003, SACP has been developing the service for online consultation for children and teenagers. Children as well as parents, teachers and citizens address the Teenager Club. Part of the communications in the reporting period were related to information on the possibilities for treatment of children addicted to narcotic drugs. The experts who answer the inquiries from the Teenager Club provide extensive information about the organizations, which offer and control medical treatment and rehabilitation services in the country. The Drug Prevention Working Group initiates the creation of links from SACP website to the Internet websites of State and non-governmental organizations, which successfully work in the area of prevention, treatment and rehabilitation related to the use of psychoactive substances by children.

155. In compliance with article 34 of CRC, the Bulgarian Penal Code penalizes persuasion of a female to prostitution or fornication or copulation; systemic provision of premises to various persons for the purposes of sexual intercourse or fornication, including against payment or when this is publicly advertised; involving minors and abduction of females for the purposes of debauchery. The penalties are more severe if the person kidnapped is under the age of 18, is placed at the disposal for debauchery or if abduction is performed to place the person at the disposal for debauchery outside the country; sexual intercourse or acts of sexual satisfaction with a person of the same sex, by using force or threat or by taking advantage of a position of dependency or supervision, as well as with a person deprived of the possibility of self-defence, including in relation to performing homosexual acts in an open or scandalous manner or so as to incite other persons to perversity; performing homosexual acts with the purpose of gaining a pecuniary benefit or inciting other persons to such activities with this purpose, as well as persuasion to homosexual acts by way of extending or promising benefits.

156. The production, distribution, display, presentation or sale of works, printed materials, pictures, films or other articles with pornographic content, the distribution by any means, of works with pornographic content; the display, presentation, offer, sale or rent of works with pornographic content to a person under the age of 16 is penalized.

157. A number of provisions of CPA envisage child protection against violence and other forms of influence such as involving the child in activities harmful to his physical, psychological, moral and educational development, using degrading methods of upbringing, as well as physical, psychological or other violence and forms of influence that run contrary to his interests, making use of the child for begging, prostitution, distribution of pornographic materials, investigation of unlawful incomes and sexual violence, and involving the child in political, religious and trade unionist activities.

158. Work on the prevention of sexual exploitation of and violence against children is a priority of SACP ever since the Agency was set up. In 2001, SACP, UNICEF Regional Bureau for Central and Eastern Europe and ECPAT International organized a National Conference on sexual exploitation of children. The aim of the conference was to develop and strengthen Bulgaria's capacity in counteracting sexual exploitation of children and to take stock of the actions and the policy development of the country in this area following the commitments made to implement the requirements of the World Congress against Commercial Sexual Exploitation of Children, Stockholm, 1996. This conference was a stage in the preparation of the Second World Congress that took place in Yokohama, Japan in 2001. Representatives of the Ministry of Justice, the Ministry of Foreign Affairs, the Central Juvenile Delinquency Commission, the Ministry of Education and Science, the National Service for Counteracting Organized Crime, the

Ministry of Labour and Social Policy, the Supreme Cassation Prosecution Office and other institutions attended the conference, as well as representatives of not-for-profit organizations from the country, ECPAT International and UNICEF. The conference materials were published.

159. SACP prepared also a National Report on the measures taken at the national level for counteracting sexual exploitation of children, in implementation of the Action Plan of the Stockholm Congress of 1996. The report was submitted to the Council of Ministers by SACP and the Ministry of Foreign Affairs, and adopted by way of protocol 61, vol. 8/2001. SACP initiated the elaboration of a National Action Plan against sexual exploitation of children.

160. In implementation of the commitments undertaken, the Government also adopted a National Action Plan against commercial sexual exploitation of children for the period 2003-2005. The basic aim of this Plan is to undertake effective measures to counteract sexual exploitation and to eliminate the phenomenon in all its forms such as child pornography, prostitution, sexual slavery, sexual tourism and traffic in and trade in children, as well as to provide adequate services to children victims of sexual exploitation. The Plan has been adopted by decision No. 614 of the Council of Ministers on 5 September 2003. The Minister of the Interior and the chairperson of SACP jointly act as national coordinators for the implementation of this Plan.

161. In February 2004 the compilation of materials on the prevention of commercial sexual exploitation of children was published. The compilation was officially sent to all State institutions and non-governmental organizations working in this field. The publication was distributed on both national and local levels. The National Plan is available on the websites of SACP and the European network against children trafficking (www.enact.it).

162. A specialized website of SACP on commercial sexual exploitation of children was launched in September 2004 (www.stopech.sacp.government.bg). The website provides for the possibility to report instances related to children victims of neglect, sexual or domestic violence, illegal and harmful content on the Internet, abuse, consultations and advice on the part of SACP, and requests for checks of the work of NGOs and private schools.

163. The Interpol Manual of Best Practices of experts working on crimes against children was translated with the financial support of UNICEF. Following updating, it was published and distributed and trainings on its use was organized.

164. On the basis of particular cases of unaccompanied children abroad, the Agency, in partnership with the Bulgarian office of the International Organization for Migration, elaborated a coordination referral mechanism for unaccompanied Bulgarian children and children victims of trafficking coming back to Bulgaria. The elaboration of the mechanism was provoked by the increasing number of unaccompanied Bulgarian children abroad as well as by the necessity to clearly delimit the responsibilities and commitments of the different State institutions, which is further discussed below.

165. A two-year project for public-private partnership for prevention of trafficking and sexual exploitation of children in the area of tourism was launched in 2005. It is a project where the Agency is partnering with the Organization for Security and Co-operation in Europe, the Bulgarian non-governmental organization Animus Association Foundation - La Strada, the

Austrian non-governmental organization Respect - Institute for Integrative Tourism and Development, and the Romanian non-governmental organization "Save the Children". The project aims at introducing a new approach in counteracting trafficking and commercial sexual exploitation of children in Bulgaria. By involving the tourism sector in the country, a Code of Ethics for the prevention of commercial sexual exploitation of children in the area of tourism was endorsed and signed. The 2005 report on the progress made by Bulgaria in the process of EU accession referred to this project as a good practice in counteracting sexual exploitation of children.

166. In relation to adopting measures against the abduction of, sale of or trade in children as provided for in article 35, there are a number of legal norms penalizing those acts in relation to children.

167. The Bulgarian legislation defines trafficking in children as a specific crime. It further makes additional provisions relating to the prevention and raising of public sensitivity to this issue as well as to the protection and support of children victims of trafficking, including recovery and social integration measures and granting permission to stay in the country.

168. In accordance with the Penal Code, abduction of a female with the purpose of debauchery is punishable, if the female is under the age of 18, by imprisonment from 3 to 12 years and a penalty of 1,000 BGN (art. 156, para. 2, item 1). Abduction with the purpose of taking the person abroad is also penalized (art. 142, para. 2, item 7). A more severe penalty is envisaged in cases of abduction of a person under the age of 18, namely imprisonment from 3 to 10 years. Abduction of a female with the purpose of marriage is penalized, if the person is a minor, with imprisonment up to 5 years (art. 177, para. 2). Illicit transfer across the border of a person under the age of 16 is punished with imprisonment from 1 to 10 years, a fine from 1,000 to 3,000 BGN and confiscation of all or part of the property of the perpetrator (art. 280, para. 2, item 1). The amendments to the Penal Code, introduced in 2000, increased the terms of imprisonment for the following crimes: abduction of a female with the purpose of marriage (art. 177, para. 2); replacing, hiding or exposing a child (art. 184); unauthorized taking or retaining of someone else's child under the age of 14 without informing the authorities or his parents (art. 185); liability is graver if the crime was committed with the use of force, threats or deceit or with the intention to make use of the child in a mercenary or immoral way (ibid., para. 2); taking an exposed or lost child of less than 7 years of age (art. 186).

169. On 12 April 2001 Bulgaria ratified the United Nations Convention against Transnational Organized Crime and its supplementary Protocols, the Protocol against the Smuggling of Migrants by Land, Sea and Air, and the Protocol to prevent, suppress and punish trafficking in persons, especially women and children. Pursuant to the requirements of these international legal instruments, the chapter on trafficking in human beings was added to the Bulgarian Penal Code in 2002. Recruiting, transporting, hiding or admitting individual persons or groups of persons with the purpose of using them for debauchery activities, forced labour, dispossession of bodily organs or holding them in compulsory submission regardless of their consent have been penalized. In the case where the crime is committed against a person under the age of 18, the punishment is imprisonment from 2 to 10 years and a pecuniary penalty of up to 10,000 BGN (art. 159, para. 2, item 1).

170. A special Combating Trafficking in Human Beings Act was adopted in 2003. It regulates:

- The interaction, powers and tasks of the State bodies in charge of combating trafficking in human beings;
- The status and tasks of the shelters, centres and commissions under the Act for providing protection and support of victims of trafficking;
- Prevention measures and measures for combating trafficking in human beings;
- Measures for protection and support of victims of trafficking, especially women and children;
- Granting special protection status to victims of trafficking who cooperate with the investigation.

171. The Act aims at ensuring interaction and coordination between the State and municipal bodies and between the non-governmental organizations in preventing and counteracting trafficking in human beings and in formulating a national policy in this field. To that end, the following institutions were set up:

- National and local commissions for combating illegal trafficking in human beings;
- Shelters for temporary placement of victims of illegal trafficking;
- Centres for support and aid to victims of illegal trafficking.

172. Representatives of the Ministries of the Interior, Foreign Affairs, Labour and Social Policy, the Social Assistance Agency and SACP as well as the Bulgarian Mission of the International Organization for Migration (IOM) play a crucial role in implementing in practice the adopted legal provisions. The Bulgarian mission of IOM elaborated a coordination mechanism for referral and care of Bulgarian unaccompanied children and children victims of trafficking returning to Bulgaria. The mechanism is established on the basis of national legislation for child protection and combating trafficking in human beings, and complies with the international legal acts ratified by Bulgaria. In the period 2003-2005, it was included as part of the National Action Plan against commercial sexual exploitation of children, which was successfully completed.

173. The basic principles of the mechanism are replicated in the National Programme for Combating Trafficking in Human Beings for 2005. The mechanism makes provisions for specific obligations of the competent institutions when unaccompanied juveniles and minors and children victims of trafficking return to Bulgaria. At present all cases of children victims of trafficking are dealt with according to this mechanism. In regional terms, the mechanism is considered to be a good practice for the work in this area. For the period 2003-2005, a total of 77 cases of unaccompanied children abroad, 30 of which repatriated, have been referred to the Agency. Protection measures under CPA are applied to these children. The countries where most frequently unaccompanied children reside are: Italy, Austria, Germany, Spain, Greece, France, the Netherlands, Belgium, Poland, the Czech Republic, and the United Kingdom.

174. By the end of 2005 and the beginning of 2006, a total of 39 cases of unaccompanied minors residing in Austria were referred to the Agency, and measures under article 76 (a) of the Bulgarian Identity Papers Act were requested. To ensure protection of children, SACP made proposals to the Ministry of the Interior to issue orders imposing the respective measures. Collecting and receiving on the part of SACP the necessary data of the children preceded the procedure.

175. A crisis centre has been set up within the Ministry of Labour and Social Policy, which applies individual programmes especially elaborated for the support of victims of violence, including victims of trafficking.

176. In relation to article 36, it must be underscored that prevention of violence against children is a State policy priority. It focuses equally on violence exercised by adults against children (including family violence) and on violence of children against children.

177. In 2004, experts of SACP worked mainly to improve the professional competence of social workers dealing with children who suffered violence; to render support to local governments in the elaboration of municipal programmes for prevention of violence; and to enhance knowledge and awareness of children on the issue. Work continued on the implementation of the concluded Memorandum of Understanding between the State Agency for Child Protection and the British non-governmental organization "Voluntary services abroad" for the organization of trainings for social workers working on cases of abused children. The need for practical training and enhancing the knowledge and skills of social workers was identified during the work of SACP with social workers from child protection departments, policemen and other professionals working on cases of children who suffered abuse or violence, and who apply CPA. The training was held in two stages. In 2003, social workers from child protection departments, inspectors from child pedagogical units, and pedagogical counsellors were trained. In 2004 a training of trainers from all 28 regional centres in the country was conducted.

178. The seminars had a clear practical focus: how to recognize a child victim of violence; which are the first steps to undertake; how to interview a child who suffered violence; risk assessment; work in court; case management. After the training, the experts of the directorate prepare methodological materials to be sent to all child protection departments.

179. The aims of the programme for prevention of violence were defined in 2005 on the basis of the analysis of the information supplied to SACP via the reports of the child protection departments on the protection measures they applied, the control exercised, as well as of petitions and signals of media, citizens and organizations submitted to the Agency. The analyses showed that in some schools children do not benefit from understanding and support, which leads to an increase in violence and aggression; teachers and pedagogical counsellors are not sufficiently prepared to deal with this problem; repressive rather than preventive measures still tend to prevail; part of the schools do not have sufficient capacity to elaborate school programmes on prevention of violence with the involvement of children. To that end, efforts are aimed at elaborating school aids and new approaches and models for work at the school level. Experts from the Agency elaborated an aid for prevention of violence at the school level.

180. This programme also aims at supporting teachers, pedagogical counsellors, psychologists and medical experts in identifying the physical and behavioural indicators of violence and at outlining the steps to be taken in signalling the child protection bodies. The aid was published with the financial support of UNICEF. It will be distributed throughout the school network. UNICEF was one of the main partners in the work on this matter, and with its support, the project for prevention of sexual exploitation of and violence against children was implemented.

181. The basic aims of the project are as follows:

- Publishing an aid on the prevention of violence and risk assessment to enhance knowledge of pedagogical counsellors, psychologists and teachers on how to deal with this problem;
- Establishing models of effective cooperation at the national and local level by training multidisciplinary teams on prevention of violence in three pilot municipalities;
- Enhancing competence at the level of schools to deal with problems related to violence against children by training pedagogical counsellors, psychologists and teachers in the pilot municipalities;
- Enhancing the competence of children to be actively involved in work on this matter;
- Rendering support to parents and encouraging their involvement in the work on prevention of violence.

182. In relation to article 30, Bulgaria is a party to all the basic international legal instruments regarding the protection of the rights of persons belonging to ethnic, religious or linguistic groups.

183. In addition to legislative measures such as the adoption of the Protection against Discrimination Act and the Ombudsman Act (in force as of 1 January 2004), funds are provided from the State budget to support programmes in the areas of education, culture, housing, employment and social protection, etc.

184. The National Council on Cooperation on Ethnic and Demographic Issues works with the Council of Ministers and contributes to the cooperation and coordination between State bodies and associations of Bulgarian citizens from ethnic minorities and other associations working in the field of interethnic relations and/or demographic development, which are registered under the Legal Non-profit Entities Act.

185. The key programme documents for implementing the Government priorities in the area of integration of persons from minority groups are the following: health strategy for disadvantaged

persons from ethnic minorities and Action Plan to the health strategy for the period 2005-2007; strategy for education integration of children and pupils from ethnic minorities; National Action Plan for the Implementation of the Strategy for education integration of children and pupils from ethnic minorities (2004/05-2008/09 school year); National Action Plan on the Decade of Roma Inclusion 2005-2015, etc. The international initiative “Decade of Roma Inclusion” was launched in the beginning of February 2005 in Sofia. It aims at improving the conditions for education, health care, employment and life of Roma. Nine European Governments and the international community support the project. Further practical efforts are being deployed to fully integrate Roma in the Bulgarian society.

Annex

Reference of legal regulations

Constitution of the Republic of Bulgaria;

Civil Procedure Code;

Social Security Code;

Labour Code;

Penal Code;

Criminal Procedure Code (promulgated SG No. 89 of 15 November, 1974, last amended in SG No. 86 of 2005);

Family Code;

Juvenile Delinquencies Act;

Bulgarian Identity Papers Act;

Bulgarian Citizenship Act;

State Social Security Budget Act;

Civil Registration Act;

State Administration Act;

Access to Public Information Act;

Child Protection Act;

Protection against Domestic Violence Act;

Health Act;

Health Insurance Act;

Execution of Penalties Act;

Integration of Persons with Disabilities Act;

Persons and Family Act;

Local Taxes and Fees Act;

Public Education Act;

Taxation of the Income of Natural Persons Act;

Municipal Property Act;

Bulgaria's Defence and Armed Forces Act

Legal Aid Act;

Vocational Education and Training Act;

Radio and Television Act;

Social Assistance Act;

Family Allowances Act;

Education Degrees, General Education Minimum and Curriculum Act;

Refuge and Refugees Act;

Foreign Nationals in Bulgaria Act;

Non-Profit Legal Entities Act;

Rules on the Implementation of the Child Protection Act;

Rules on the Implementation of the Public Education Act;

Rules on the Implementation of the Social Assistance Act;

Rules on the Implementation of the Family Allowances Act;

Regulation for the Organization and Work of the National Anti-trafficking Commission;

Regulation for the Shelters for Temporary Accommodation and the Centres for Protection of and Assistance to the Victims of Trafficking in Human Beings;

Regulation for the Organization and Work of the Homes for Temporary Placement of Juveniles and Minors;

Social Educational Boarding Schools Regulation;

Correctional Boarding Schools Regulation;

Regulation on the terms and conditions of performing measures for prevention of the abandoning of children and their placement in institutions, as well as for their reintegration;

Regulation on the terms and conditions for application, selection and approval of foster families and placing children in foster families;

Regulation on the special protection in public places;

Regulation on the criteria and standards for social services for children;

Regulation on the terms and conditions for providing special protection to talented children;

Regulation on the terms and conditions for providing police protection;

Regulation No. 2 of 18 May 2000 on the educational content;

Regulation No. 4 on the terms and conditions for keeping and maintaining a register of children for full adoption.

International Acts

Convention on the Rights of the Child;

Convention relating to the Status of Refugees

The United Nations Convention against Transnational Organized Crime and its supplementary Protocols, the Protocol against the Smuggling of Migrants by Land, Sea and Air, and the Protocol to prevent, suppress and punish trafficking in persons, especially women and children;

Convention No. 182 of the International Labour Organization concerning the Elimination of the Worst Forms of Child Labour;

United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules);

The Hague Convention on the Civil Aspects of International Child Abduction;

The Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption;

European Convention on Trans-Border Television

Programme documents

2004-2006 National Strategy for Child Protection;

2003-2005 National Strategy for Protection and Social Integration of Children with disabilities;

2003-2005 National Strategy for Protection of the Rights of the Child on the Street;

Strategy for Education Integration of Children and Pupils from the Ethnic Minorities;

Health Strategy for Disadvantaged Persons from Ethnic Minorities;

2005 National Programme for Child Protection;

2006 National Programme for Child Protection;

2005 National Programme for Prevention and Counteracting Trafficking in Human Beings;

2003-2005 National Action Plan against the Commercial Sexual Exploitation of Children;

National Action Plan for the Implementation of the Strategy for Education Integration of Children and Pupils from Ethnic Minorities (2004/05-2008/09 school year);

2003-2005 Action Plan for Protection of the Rights of Children on the Street;

2003-2005 Plan for Reducing the Number of Children Raised in Specialized Institutions in Bulgaria;

Plan for Work with Begging Children;

2003-2006 Action Plan for Implementation of the National Strategy for Preventing and Counteracting Juvenile Delinquency;

2005-2007 Action Plan to the Health Strategy for Disadvantaged Persons from Ethnic Minorities;

National Action Plan under “Decade of Roma Inclusion: 2005-2015”.
