

Reforming Child Protection and Care in EU accession

Toolkit for EU Institutions and Delegation Staff

April 2025

HOPE
AND
HOMES
FOR
CHILDREN



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Hope and Homes for Children aims to be a catalyst to end the institutionalisation of children globally. We work with civil society organisations and funders, governments and in partnership with children, families and communities to develop institution-free care systems and help the 5.4 million children confined in orphanages worldwide get Back to Family. We achieve this by strengthening child protection mechanisms, building the capacity of local professionals, developing services to support all families, and providing family-based alternatives for children who cannot remain with their own parents. We also work with governments and civil society to influence policy and legislation to protect and promote children's rights.

Hope and Homes for Children is registered as a Charity in England and Wales. No 1089490 and registered on the Transparency Register of the European Union, Identification number: 035163533684-92.

Hope and Homes for Children has a special consultative status with the United Nations Economic and Social Council since 2019 and NGO in participatory status with the Council of Europe as of 2021.



Eurochild is the largest network of organisations and individuals working with and for children in Europe.

We represent over 200 organisations and individuals from across 42 European countries, reaching approximately 5,000 organisations.

Our vision is a society where every child in Europe grows up happy, healthy, and confident, respected as an individual with inherent rights.



Lumos is an international non-governmental organisation striving for a future where every child is raised in a safe and loving family within supported communities.

Today, there are an estimated 5.4 million children in institutions around the world. Research proves these institutions can harm their growth and development. And more than 80% of children in orphanages have a living parent.

We shed light on the root causes of family separation – poverty, conflict and discrimination.

We press and support governments to reform care systems and, by building global expertise and skill with our partners, we show how children can be safely united with families.

Lumos Foundation USA Inc. (Lumos USA), a 501(c)(3) non-profit organization Registered Office: 557 Broadway, New York, 10012, USA EIN: 47-2301085 Lumos Foundation (Lumos) is a company limited by guarantee registered in England and Wales number: 5611912 | Registered charity number: 1112575.



Save the Children is the world's first and leading independent children's organisation – transforming lives and the future we share. We're proud to work with children, their communities, and our partners worldwide, discovering new solutions to help ensure that the world's most vulnerable children survive, learn and are protected. Every year, we reach tens of millions of children in more than 110 countries through our life-changing work.

Key definitions linked to the reform of the child care and protection systems

Alternative family-based care: The short-term or long-term placement of a child into a family environment with at least one consistent parental caregiver; a nurturing family environment where children are part of supportive communities.¹

Child care and protection systems reform: Child protection and care system reform involves the transformation of services to ensure that all children are able to live with families or in family-based care in the community. It involves strengthening child protection systems, investing in the social workforce, providing a range of universal and targeted services to support children in families and prevent child-family separation, developing family-based alternative care where needed and progressively transitioning away from institutional to family and community-based care for children. It is a multi-layered process, that requires a holistic and multi-agency approach, where all actors understand their respective roles. Gatekeeping mechanisms must be put in place to ensure prevention of separation and that alternative care for children is used only when necessary, and the type of care provided is aligned to the needs and respecting the best interest of the individual child.²

Community-based services/community-based care: spectrum of services that enable individuals to live in the community and, in the case of children, to grow up in a family environment as opposed to an institution. It encompasses mainstream services, such as housing, healthcare, education, employment, culture and leisure, which should be accessible to everyone regardless of the nature of their impairment or the required level of support and specialist services for children and families at greater risk of family breakdown.³

Residential care: Residential care is an umbrella term to describe any group-living arrangement where salaried staff or volunteers ensure care on a shift basis. It includes short- and long-term placements in institutions, small-group homes, boarding schools, interim-care centres, places of safety for emergency care, and transit centres.

Institutional care: the short- or long-term placement of a child into residential care which is unable to deliver individualised care, support or privacy to children. It is characterised by an institutional culture which separates or isolates children from the wider community, discourages contact with the birth or extended family, insists on regimented routines for children and lacks the opportunity for children to form attachments to their caregivers.

¹ [Better Care Network, Glossary of Key Terms](#)

² [Hope and Homes for Children \(2022\) Families. Not institutions](#)

³ European Expert Group (EEG) on the transition from institutional to community-based care

Introduction

Children belong in families, and no child should grow up in an institution.

However, 5.4 million children are still confined in institutions globally, deprived of their freedom and of the right to grow up in family environment. Following over 100 years of research demonstrating the harm institutionalisation causes to children, and the life-long consequences they can face,^{4 5} there is now global recognition⁶ that countries need to move away from care systems reliant on institutionalisation, and build systems that support children to live in families – and when it's not in their best interests to remain with their birth families, in alternative family-based care.

The European Union (EU) has demonstrated strong leadership in this area, both inside and outside its borders. It has played a central role in significantly decreasing the number of children residing in institutions in Member States, notably by including the transition from institutional to community-based care among its internal funding priorities. In addition, in the current programming period (2021-2027), the EU has gone a step further by including the promotion of the transition from institutional to community-based care for children in its external funding regulations.

The EU accession process has been an opportunity to advance children's rights, and implement reform of child care and protection systems in countries aspiring to join the EU. Candidate countries and potential candidates are required to undertake significant reforms to comply with the EU *acquis*, the body of common rights and obligations binding for all EU Member States and are provided with EU technical and financial support to do so. The progressive alignment and implementation of existing legislation is periodically monitored and reported on in the annual EU Enlargement Package. As a result, EU accession represents a historic opportunity to contribute to deep-rooted reforms in countries embarking on the process – including reform of their child protection and care systems.

The current EU candidate countries and potential candidates are at varying stages of the process of the transition away from institutional care, but all of them still have a significant way to go. It is therefore crucial that the relevant stakeholders, including staff in the EU Headquarters and Delegations, work together towards ensuring child protection remains high on the agenda during each country's accession journey. Hence, we have put together this Toolkit with the ambition for it to be a useful tool for supporting this joint effort.

⁴ [Hope and Homes for Children \(2022\) Families. Not institutions](#)

⁵¹ van IJzendoorn, M.H., Bakermans-Kranenburg, M.J. et al (2020) Institutionalisation and deinstitutionalisation of children: a systematic and integrative review of evidence regarding effects on development. *The Lancet Psychiatry*, 7

⁶ 2019 Resolution on the Rights of the Child (A/RES/74/133)

Why this toolkit?

The purpose of this toolkit is to provide practical guidance to EU staff in Headquarters and Delegations on how to support the reform of child care and protection systems in the context of the EU accession process, building upon key examples of how this has been done in past accession processes.

Meaningful civil society engagement is instrumental for advancing and completing quality care reform. It is also embedded in the EU acquis and ways of working.

The Toolkit offers recommendations on how to ensure that the expertise and experience of civil society actors are taken into account when shaping the reform priorities for candidate countries and potential candidates, as well as in the process of implementation of new and existing legislation.

Reforming child protection and care systems

Children belong in families. It has long been recognised by the EU and by the global community that children thrive best in families, and that all children have a right to grow up in their family unless it is not in their best interest. However, millions of children across Europe and the world are still unnecessarily being separated from their families – often due to preventable reasons such as poverty, a lack of inclusive education in their communities, and a lack of specialised support services for families at risk of separation. Many are placed in institutions, which can cause lifelong harm. With the right support and services in place, most of these children could live within their birth or extended families.

Recognising the harm of child-family separation and institutionalisation, many countries have begun reforming the way they support children and their families and deliver alternative care for those children that need it.

Institutionalisation

An estimated 5.4 million children worldwide⁷ live in institutions. The majority of these children are not 'orphans'; approximately 80% have at least one living parent.⁸ There are numerous definitions of what an 'institution' for children is, but there is general agreement that an institution is characterised by features such as depersonalisation, lack of individualised support, or limited contact with birth families or caregivers.⁹ ¹⁰ The term covers arrangements more commonly known as 'orphanages', compound/cluster facilities, 'reception centres' for unaccompanied refugee children, residential health facilities and psychiatric wards, and residential 'special schools' for children with disabilities.



⁷ [UN Global Study on Children Deprived of Liberty \(2019\)](#)

⁸ van IJzendoorn, M. H., Bakermans-Kranenburg, M. J., Duschinsky, R., Fox, N. A., Goldman, P. S., Gunnar, M. R., ... & Sonuga-Barke, E. J. (2020). Institutionalisation and deinstitutionalisation of children 1: a systematic and integrative review of evidence regarding effects on development. *The Lancet Psychiatry*, 7(8), 703–720.

⁹ [Hope and Homes for Children \(2022\) Families. Not institutions](#)

¹⁰ [Lumos, What is an 'institution' or 'orphanage'?](#)

Institutions have a negative impact on children's growth, socio-emotional and cognitive development, mental health, and ability to form attachments.^{11 12 13} Children in institutions are at



higher risk of violence compared to children in other settings, including verbal abuse, beatings, sexual abuse, and psychological harm, harassment and humiliating discipline.^{14 15} This includes solitary confinement, physical restraints, forced medication,¹⁶ deprivation of liberty¹⁷ and trafficking.¹⁸ For instance, in Romania, there have been cases¹⁹ with state officials and the child care staff prosecuted²⁰ for direct involvement in trafficking and exploitation

of children.²¹ The impact of institutionalisation lasts well beyond childhood.²²

Reforming child care and protection systems

Child protection and care system reform involves the transformation of services to ensure that all children are able to live with families or in family-based care in the community. It involves strengthening child protection systems, investing in the social workforce, providing a range of universal and targeted services to support children in families and prevent child-family separation, developing family-based alternative care where needed and progressively transitioning away from institutional to family and community-based care for children. It is a multi-layered process, that requires a holistic and multi-agency approach, where all actors understand their respective roles. Gatekeeping mechanisms must be put in place to ensure prevention of separation and that alternative care for children is used only when necessary, and the type of care provided is aligned to the needs and respecting the best interest of the individual child.²³

¹¹ Dana E. Johnson, 'Medical and Developmental Sequelae of Early Childhood Institutionalization in Eastern European Adoptees', in *The Minnesota Symposia on Child Psychology. Vol 31: The Effects of Early Adversity on Neurobehavioral Development*, ed. by Nelson (Mahwah, NJ: Lawrence Erlbaum Associates Publishers, 2001)

¹² van IJzendoorn, M.H., Bakermans-Kranenburg, M.J. et al (2020) Institutionalisation and deinstitutionalisation of children 1: a systematic and integrative review of evidence regarding effects on development. *The Lancet Psychiatry*, 7(8)

¹³ Romanian orphan studies: Effects of institutionalisation - A-Level Psychology, Study Mind, <https://studymind.co.uk/notes/romanian-orphan-studies-effects-of-institutionalisation/>

¹⁴ Paulo Sérgio Pinheiro, 'World Report on Violence against Children', United Nations Secretary General's Study on Violence against Children, 9/27, 16/53/57/58/59 (2006)

¹⁵ Manfred Nowak, 'United Nations Global Study on Children Deprived of Liberty', United Nations, 2019,

¹⁶ Paulo Sérgio Pinheiro, 'World Report on Violence against Children', United Nations Secretary General's Study on Violence against Children, 9/27, 16/53/57/58/59 (2006)

¹⁷ [UN Global Study on Children Deprived of Liberty \(2019\)](#)

¹⁸ [Lumos \(2020\) Cracks in the system: child trafficking in the context of institutional care in Europe](#)

[Lumos \(2021\) Cycles of Exploitation: The links between children's institutional care and human trafficking](#)

¹⁹ Digi24. (20 March 2018). Pornografie cu minori de la centre de plasament. Suspectul și-a obligat victimele să se prostitueze și le-a filmat [Pornography with minors from foster care. The suspect forced his victims into prostitution and filmed them]

²⁰ [Reply from Romania to the Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Parties \(2019\)](#)

²¹ Hope and Homes for Children et al (2023) Joint Contribution to strengthen the rights of children deprived of family care (at risk of) being trafficked

²² van IJzendoorn, M.H., Bakermans-Kranenburg, M.J. et al (2020) Institutionalisation and deinstitutionalisation of children 1: a systematic and integrative review of evidence regarding effects on development. *The Lancet Psychiatry*, 7(8)

²³ [Hope and Homes for Children \(2022\) Families. Not institutions](#)

Some of the common factors that lead to child-family separation and institutionalisation include poverty, lack of access to and availability of services to support children in families and communities, lack of family-based alternative care available for children who cannot remain with their birth families, discrimination, misplaced good intentions, and reluctance to change.²⁴ There is a strong link between discrimination on the basis of several factors, including gender, disabilities, ethnicity and migration status, and child separation and institutionalisation. Therefore, working with families at risk of separation and of placing their children in institutions is equally important. Prevention measures may include financial support, provision of quality, accessible and affordable services, and mental health support. They should always be person/family-centred and answering a specific need.

²⁴ [Id](#)

The link between care reform and other human rights issues

As it tackles systematic factors of inequality, the reform of the child care and protection is linked to several EU policy areas, including:

Poverty: Across the world, poverty is the most common underlying risk factor that leads to children being separated from their families and institutionalised. Poverty is a direct driver of institutionalisation, and indirectly exacerbates the impact of all other factors that are associated with institutionalisation, such as disability, gender, violence, health, education and discrimination, among others. Care-experienced individuals are more at risk of poverty than people who did not experience institutionalisation.

Access to inclusive education: Many children are placed in institutions because they cannot access quality, affordable and inclusive education in their community. However, evidence highlights that school-age children with a history of early institutionalisation perform worse on measures of both memory and executive functioning compared to their peers without a history of institutionalisation.

Disability: If families struggle to provide for their children's basic needs, parents can feel that the only way for their children to access the services is by placing them in an institution. In some cases, it is the authorities advising them to undertake this step. This happens mostly when the child has disabilities and needs specialised services, which in many countries are not always available in the community. Around the world, children with disabilities are disproportionately over-represented in institutions. Even in countries that have reduced the number of children in institutions, children with disabilities often remain institutionalised, left behind in the care reform process.

Ethnicity: Around the world, children from certain minority ethnic groups are more likely to be placed in institutions. This reflects both structural racism and discrimination within society, and inherent inequalities within child protection systems. In addition, there are multiple case of double discrimination. For example, a child with disabilities from an ethnic minority could be discriminated against within their community, which also often leads to institutionalisation.

Migration: Migration flows across the world have resulted in some countries receiving unprecedented numbers of unaccompanied and separated children. Institutionalisation is often used as a response for unaccompanied migrant and refugee children across the world, even by countries that have moved away from institutions for their citizens. Upon arrival to their destination country, many children end up in camps, detention centres, institutions, or are left to fend for themselves on the streets.

Global human rights frameworks on children's right to family life

Global human rights frameworks have recognised the harm of institutions, and the need to transform the child protection and care systems to better meet the needs of children and families:

- The [UN Convention on the Rights of the Child \(UNCRC\)](#)²⁵ sees family as the "*natural environment for the growth and well-being for all its members and particularly children*" (preamble) and recognises the right of the child not to be separated unless it is necessary for their best interests (Art. 9) and the duty of the state to assist the parents in the performance of their child-rearing responsibilities (Art. 18). States have an obligation to provide material support for the family (27), and children with disabilities and those responsible are entitled to special care (23).
- The [UN Convention on the Rights of Persons with Disabilities \(UNCRPD\)](#)²⁶ defines family as "*the natural and fundamental group unit of society*" and affirms the right of persons with disabilities to live in the community (Art. 19). Under art. 23 of the UNCRPD, "*States Parties shall ensure that children with disabilities have equal rights with respect to family life*"; "*In no case shall a child be separated from parents on the basis of a disability of either the child or one or both of the parents*".
- In the [2019 UN Resolution on the Rights of the Child](#),²⁷ the United Nations General Assembly "*expresses deep concern on the potential harm of institutionalization and institutional care to children's growth and development*" and urges Member States to progressively replace "*institutionalization with quality alternative care, including, inter alia, family and community-based care and, where relevant, redirecting resources to family and community-based care services, with adequate training and support for caregivers and robust screening and oversight mechanisms.*"
- According to the [UN Guidelines For The Alternative Care Of Children](#),²⁸ "*Financial and material poverty, or conditions directly and uniquely imputable to such poverty, should never be the only justification for the removal of a child from parental care, for receiving a child into alternative care, or for preventing his/her reintegration, but should be seen as a signal for the need to provide appropriate support to the family.*"
- The [UN Global Study on Children Deprived of Liberty](#)²⁹ affirms that "*institutions, by their very nature, are unable to operate without depriving children of their liberty*" and "*are often characterized by living arrangements that are inherently harmful to children.*"

²⁵ [United Nations \(1989\) Convention on the Rights of the Child, United Nations](#)

²⁶ [United Nations \(2006\) Convention on the Rights of Persons with Disabilities](#)

²⁷ [United Nations General Assembly \(2019\) Resolution on the Rights of the Child A/RES/74/133](#)

²⁸ [United Nations \(2010\) Guidelines for the Alternative Care of Children](#)

²⁹ [United Nations \(2019\) Global Study on Children Deprived of Liberty](#)

- According to the [UN Guidelines on deinstitutionalization, including in emergencies](#),³⁰ institutionalisation constitutes detention and deprivation of liberty based on impairment.
- The [2019 report of the UN Special Rapporteur on the Rights of Persons with Disabilities](#)³¹ highlights that *"Deprivation of liberty on the basis of impairment is not a 'necessary evil' but a consequence of the failure of States to ensure their human rights obligations towards persons with disabilities."*

Care reform: a human rights imperative

The right of all children, including those with disabilities, to family and community living is enshrined in global human rights frameworks, notably the UN Conventions on the Rights of the Child and on Persons with Disabilities, which have been ratified by all EU Member States and current candidate countries (and by the EU itself, in the case of the CRPD).

Promoting the transformation of child protection and care systems through the EU accession process gives an opportunity for both the EU and the candidate countries to meet their obligations under these frameworks, as well as to promote the uptake of European values in future Member States.

EU commitments towards care reform

The EU has made strong commitments towards child protection and care reform in both internal and external action.

Funding regulations

EU internal action

- The enabling condition 4.3 of the [Common Provision Regulation \(CPR\) 2021-2027](#)³² requires Member States to develop a national strategic framework for poverty reduction

³⁰ [UNCRPD \(2022\) Guidelines on deinstitutionalization, including in emergencies, para. 6](#)

³¹ [Human Rights Council \(2019\) Rights of Persons with Disabilities Report of the Special Rapporteur on the rights of persons with disabilities](#)

³² [EU \(2021\) Common Provisions Regulation, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32021R1060](#)

and social inclusion, including *"measures for the shift from institutional to community-based care."*

- The European Social Fund Plus (ESF+)³³ is set to *"promote the transition from residential or institutional care to family- and community-based care" (...), "in particular for those who face multiple discrimination" (and "not to support any action that contributes to segregation or to social exclusion".*
- The European Regional Development Fund (ERDF)³⁴ and the Cohesion Fund, in synergy with the ESF+, should be also implemented in a way that supports and promotes *"the transition from institutional to family-based and community-based care" "through supporting facilities that would seek to prevent segregation from the community".*³⁵
- The Asylum and Migration Integration Fund (AMIF) is also set to support the establishment, development and improvement of effective alternatives to detention in particular in relation to unaccompanied minors and families and including where appropriate non institutionalised care integrated into national child protection systems.

EU external action

- The **Neighbourhood, Development and International Cooperation Instrument (NDICI)**³⁶ seeks to support, in its geographic and thematic programming, *"the promotion of the transition from institutional to community-based care for children, as well as the promotion of new initiatives to build stronger child protection systems in third countries."*
- The **Instrument for Pre-Accession Assistance (IPA III)**,³⁷ used by the EU to implement reforms in the EU accession countries, highlights that: *"Interventions in this area shall aim at modernising social protection systems to provide effective, efficient and adequate protection throughout all stages of a person's life, promoting the transition from institutional to family and community based care fostering social inclusion, promoting equal opportunities and addressing inequalities and poverty (Annex II).*
- The **Ukraine Facility**³⁸ should contribute *to improving and strengthening the social care systems and their accessibility, in particular for specific groups, including children, especially those without parental care.*

³³ EU (2021) European Social Fund Plus Regulation, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32021R1057>

³⁴ EU (2021) European Regional Development Fund and Cohesion Fund Regulation, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32021R1058>

³⁵ EU (2021) Strategy on the Rights of the Child 2021-2024

³⁶ EU (2021) Neighbourhood, Development and International Cooperation Instrument 2021-2027

³⁷ EU (2021) The Third Instrument for Pre-Accession Assistance 2021-2027

³⁸ <https://eur-lex.europa.eu/eli/reg/2024/792/oj>

Policy instruments

- In the [EU Strategy on the Rights of the Child 2021-2024](#)³⁹, *"The European Commission invites Member States to promote national strategies and programmes to speed up deinstitutionalisation and the transition towards quality, family- and community-based care services including with an adequate focus on preparing children to leave care, including for unaccompanied migrant children."* According to the global dimension of the strategy, *"the EU will support actions to address the issue of street children as well as invest in the development of quality alternative care and the transition from institution based to quality family- and community-based care for children without parental care and children with disabilities."*
- The [EU Strategy on the Rights of Persons with Disabilities 2021-2030](#),⁴⁰ *"The Commission calls on Member States to implement good practices of deinstitutionalisation in the area of mental health and in respect of all persons with disabilities, including children to strengthen the transition from institutional care to services providing support in the community."*
- The [EU Action Plan on Human Rights and Democracy 2020-2024](#)⁴¹ includes the commitment of the EU to *"support the development of quality alternative care and the transition from institution based to quality family- and community-based care for children without parental care."*
- The [European Child Guarantee](#)⁴² aims to prevent and combat social exclusion by guaranteeing effective access of children in need to a set of key services: early childhood education and care, free education and healthcare, healthy nutrition and adequate housing. "Children in alternative, especially, institutional, care" are prioritised as a target group with set indicators, based on the data collected and published by Eurochild and UNICEF in the framework of the DataCare project.⁴³
- The first ever [EC Recommendation on developing and strengthening integrated child protection systems in the best interests of the child](#) contains a section on Deinstitutionalisation and the transition towards quality family and community-based care and services in due consideration of the best interests of the child. It recommends that Member States take all measures to ensure the prioritisation of family-based and community-based care for children, taking into account the best interests of the child as

³⁹ [EU \(2021\) Strategy on the Rights of the Child 2021-2024](#)

⁴⁰ [EU \(2021\) Strategy on the Rights of Persons with Disabilities 2021-2030](#)

⁴¹ [EU \(2020\) Action Plan on Human Rights and Democracy 2020-2024](#)

⁴² [EU \(2023\) Council Recommendation on establishing a European Child Guarantee](#)

⁴³ <https://eurochild.org/initiative/datacare/>

a primary consideration, and that they invest in non-residential family- and community-based quality services.

- The [Youth Action Plan in the EU External Action](#)⁴⁴ is also critical for the support to child care reform in EU external action, as it highlights that EU institutional youth engagement is set to be achieved through *"enhanced institutional capacity and expertise of EU staff on how to work with and for young people and on child protection through training, guidelines and sharing of good practices"*.
- The 2024 Commission notice to support the right of persons with disabilities to live independently and be included in the community emphasises the need for accessible community support services and facilities to enable inclusion in the community for persons with disabilities.⁴⁵
- The Eurofound report *Paths towards Independent Living and Social Inclusion in Europe* analyses critical gaps in care systems and shares latest available data on the number of children and adults living in institutional care across the EU.

Other legislative instruments

- The Directive (EU) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims acknowledges the particular vulnerability to trafficking in human beings of children placed in institutions in its Preamble. EU Member States are encouraged to ensure that national child protection systems develop specific plans to prevent trafficking in human beings, including that of children in residential or closed-type institutions.

Collectively, these legislation and policy provisions demonstrate the EU's commitment to, and global leadership on, promoting reform of child care and protection systems, both inside and outside its borders.

Resources produced by the European Expert Group on the transition from institutional to community-based support (EEG) also offer insights and guidance on how the EU can support the transition to community and family-based care.⁴⁶

⁴⁴ [EU \(2022\) Youth Action Plan in EU External Action](#)

⁴⁵ [European Commission \(2024\) "Commission adopts guidance on independent living for persons with disabilities"](#) 20.11.24

⁴⁶ [EEG \(2022\) Guidance on independent living and inclusion in the community](#); [EEG \(2019\) EU funds Checklist to promote independent living and deinstitutionalisation](#); [EEG \(2014\) Toolkit on the Use of European Union Funds for the Transition from Institutional to Community-based Care](#)

EU accession and child protection and care systems reform

The EU accession process is a powerful tool to support child protection and care system reform in candidate countries and potential candidates, as they carry out wide ranging reforms to allow them to align with the EU *acquis* and relevant international standards. The need to transition from institutional to family- and community-based care systems has been addressed in the EC 2024 Communication on the EU Enlargement Policy which states that “Urgent efforts are also needed to strengthen the integration of child protection systems and to accelerate the de-institutionalisation of children and adults with disabilities”⁴⁷ as well as in [all](#) EU 2024 Enlargement Reports:

- “Child poverty remains prevalent, and measures taken fall short of effectively addressing it. (...) A national deinstitutionalisation plan and its economic reform programme are in place but have not been implemented effectively. According to international organisations, in 2023, children made up 66% of all potential and actual victims of human trafficking, 65% of whom were girls, mostly from Roma and Egyptian communities. (...) The number of child protection workers (241 in all 61 municipalities) is far below the total number needed..” ([Albania](#))
- “The country needs to accelerate the transition towards community-based care and urgently develop and adopt a deinstitutionalisation strategy to this end. Measures are required to prevent family separation, provide foster care and alternative solutions, and support children leaving care institutions at the age of 18..” ([Bosnia and Herzegovina](#))
- “Significant progress was made in deinstitutionalisation with the closure of large institutions. Concerns remain around small group homes and the significant number of children residing in non-licensed residential care institutions, including religious ones. New measures are needed to ensure adequate support services, in particular for children with disabilities, and to provide comprehensive support to the families concerned..” ([Georgia](#))
- “An integrated child protection system remains lacking. Centres for Social Welfare are still not equipped with appropriate professional, infrastructural and financial resources. Kosovo lacks capacity to provide appropriate foster care for children without parental care; the government should prioritize reducing the number of children residing in residential care. Children with disabilities face discrimination in access to preschool institutions and few attend the school system..” ([Kosovo*](#))
- “Moldova is making limited progress to protect the rights of persons with disabilities, with the process of deinstitutionalisation progressing slowly.(...) Children with

⁴⁷ European Commission, 2024 Communication on EU enlargement policy, https://neighbourhood-enlargement.ec.europa.eu/document/download/7c67aed6-e7c2-47de-b3f8-b3edd26a3e26_en?filename=COM_2024_690_1_EN_ACT_part1_v11.pdf

disabilities remain exposed to higher protection risks, including gender based violence as well as family separation. (...) Moldova must take measures to tackle the systemic problem of children with intellectual disabilities being placed in psychiatric institutions.” (Moldova)

- “Montenegro has yet to adopt a strategy on deinstitutionalisation with the meaningful involvement of relevant civil society stakeholders.” (Montenegro)
- “The implementation of the Strategy for de-institutionalisation (2018–2027) continues and all the children have been relocated to foster care or small group homes. Further efforts are needed to reduce child poverty and improve social protection. Local stakeholder cooperation and the capacity of social work centres should be enhanced, especially for at-risk children, including Roma and those with disabilities. The policy of including children with disabilities in regular schools is facing challenges..” (North Macedonia)
- “Although a relatively small number of children are placed institutional care (under 100 children per 100 000 children), violations of child rights in largescale institutions remain a concern.” (Serbia)
- “Türkiye stepped up efforts to develop an emergency foster care system, but no progress was made in the field of deinstitutionalisation and independent living. Efforts to incorporate large number of migrant children into education system continued. However, very high inflation increased risks of children being removed from school of the most vulnerable families” (Türkiye)
- “In the coming year Ukraine should in particular:
→ adopt the strategy for de-institutionalisation of alternative care for children in line with Ukraine Plan commitments and ensure implementation of the related reforms; Deinstitutionalisation should remain a priority, including the strengthening of integrated social services to prevent family separation and support alternative family placements and reintegration of children from institutions into families.” (Ukraine)

Children's rights and care reform are covered under Negotiating Chapter 23 “Judiciary and Fundamental Rights”, which falls within the fundamentals’ cluster, as established by the revised methodology for accession negotiations introduced in February 2020. As such, negotiations on Chapter 23 are one of the first to be opened and last to be closed. To effectively implement reforms in the areas covered by this chapter, following the opening of accession negotiations, Action Plans are drawn up by the candidate country, based on guidance from the screening of the European Commission. The only benchmark for opening chapters 23 and 24 is the adoption of an Action Plan, which should define the roadmap for the negotiations.⁴⁸ Additionally, some aspects of the reform of child care and protection systems, such as strengthening families and poverty reduction, may also fall under Negotiating Chapter 19 (“Social Policy and Employment), falling under the Competitiveness and inclusive growth cluster.

⁴⁸ Nozar, W. (2012). The 100% union: The rise of chapters 23 and 24. *EU enlargement anno*, 87–96.

How the EU can further support child protection and care systems reform during the accession process

European Commission (Commission)

The Commissioner for Neighbourhood and Enlargement and the Directorate General for Neighbourhood and Enlargement Negotiations (DG NEAR) oversee the accession process. They draft the yearly Enlargement Package, consisting of a Communication, and country Reports⁴⁹ setting out an assessment of the state of play of the reform progress in each candidate country and potential candidate over the last year. These assessments are accompanied by recommendations and guidance on the reform priorities and are used to inform the ongoing negotiations. While the Commissioner for Enlargement and DG NEAR are the lead, other Commissioners and Directorates Generals can play a role in supporting children's rights and tackling child institutionalisation during the EU accession. For instance, the statements on child institutionalisation in Ukraine, delivered by both the President of the Commission Ursula von der Leyen⁵⁰ and Vice-President for Democracy and Demography Dubravka Šuica⁵¹ have significantly enhanced the visibility of this issue in Ukraine.

How the European Commission can contribute to reform of the child care and protection systems

Over the years, the European Commission has been promoting and supporting care reform in various ways – from including references to it in its funding regulations and policy instruments through funding research on the topic to securing dedicated funding for it (Bulgaria, Ukraine). In this sense, the suggested below actions have been undertaken more than once. Nevertheless, we are including them here as a reminder for the future.

- Promote the implementation of the European Child Guarantee as part of the EU's enlargement process. The Child Guarantee is a comprehensive framework that strengthens social and child protection systems, which subsequently can prevent family separation and institutionalisation and support the provision of quality, accessible and affordable services which are necessary for a sustainable care reform.
- Ensure that the successor of the IPA III Regulation continues to support the transition from institutional to family and community-based care as well as not supporting any actions that can lead to any form of segregation or social exclusion.
- The EC Opinions on the membership application bring another opportunity for addressing the need of care reform. This has been the case of Ukraine.

⁴⁹ https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/strategy-and-reports_en

⁵⁰ [European Commission \(2023\) Statement by President von der Leyen at the joint press conference with Ukrainian President Zelensky](#)

⁵¹ [EEAS \(2023\) The EU's Support to Ukraine's Comprehensive Child Care and Child Rights Reform](#)

- The Screening of the candidate countries provides an opportunity for the Commission to examine their child protection and care systems along with other areas of review. When the country still relies heavily on an institutional child care system, demonstrating commitment to transition to family and community-based care (i.e. starting to work on a care reform strategy and an action plan) could be one of the opening benchmarks.
- The preparation, together with CSO with relevant experience and expertise, of a care reform strategy with an action plan and an attached budget could be introduced as a benchmark for the fulfilment of Chapter 23.
- Providing ad hoc financial assistance ringfenced for care reform such as the 10 million euros allocated to Ukraine for a "modern child care reform strategy" is another incentive and impetus for change.
- The drafting of the yearly **Enlargement Package** presents yet another critical opportunity for the EU staff and EU Delegations to shed light on the rights of children without parental care in the enlargement countries.

Engaging with civil society organisations with expertise in and experience of care reform for children wherever possible, including during the drafting of the Enlargement Reports, is essential for getting a full picture of the progress made by the candidate countries. Below are a few suggestions on how to further enhance CSO engagement in the context of EU accession:

- Ensure that information about public consultations is accessible and reaches a wide range of civil society organisations
- Hold regular consultation meetings with civil society organisations, including virtual meetings to facilitate broader participation, to influence both funding and policy
- Establish a mechanism for meaningful consultation of children and young people, including with intellectual disabilities
- Establish a formal feedback mechanism to allow civil society to respond to preliminary findings and assessments of the state of the child protection systems in the accession countries.
- Clearly communicate with civil society the methodology used in the assessment of the progress made by the country
- Acknowledge the contributions of civil society organisations in the Enlargement Reports
- Provide feedback to civil society organisations on how their input has been considered in the drafting process of the Enlargement Report.
- Maintain communication after the report is finalised, updating them on subsequent developments.

European Parliament (EP)

The European Parliament's **Committee on Foreign Affairs (AFET)** is the main committee that deals with the EU accession, including its **Subcommittee on Human Rights (DROI)**. AFET holds regular exchanges of views with EU negotiators and those of candidate countries. A **standing rapporteur** is appointed for each candidate country at the start of negotiations, and they can be

instrumental for bringing change. Last but not least, there are the Delegations to the [joint Parliamentary Committees](#) with candidate countries.

The European Parliament is a co-legislator in regulations governing the financial aspects of the accession process and expresses its positions on enlargement in the form of annual resolutions responding to the Commission's Enlargement Reports.¹⁵ When negotiations are concluded, the Members of the European Parliament vote on the Accession Treaty, a treaty of the European Union that specifies the terms under which an applicant state becomes a member of the European Union.

The European Parliament has been a strong advocate for children's rights and care reform. In the past years, it has adopted a number of reports and resolutions which address the harm caused by child institutionalisation and stress on the indispensability of care reform. These include:

- The European Parliament's Report ["Reducing inequalities and promoting social inclusion in times of crisis for children and their families" \(2023/2066\(INI\)\)](#) highlights that *"child protection measures, including deinstitutionalisation, are also essential for children to achieve their rights and reach their full potential"*, and *"recommends that Member States develop proactive social policies to tackle the root causes of child institutionalization, ensuring that it is not because of poverty and exclusion that children are institutionalized"*.
- The European Parliament's Resolution [Children first – strengthening the Child Guarantee, two years on from its adoption \(2023/2811\(RPS\)\)](#) *'stresses "the need for improved data collection on children living in institutions, accompanied by time-bound targets for bringing children out of institutions and into family and community settings"*.
- The European Parliament's Report [on the revised EU Anti-Trafficking Directive \(COM\(2022\)0732 – C9-0431/2022 – 2022/0426\(COD\)\)](#) acknowledges the link between institutions and trafficking. It identifies the exploitation of children in, and from, institutions as a specific type of trafficking, and proposes an increased penalty on perpetrators if the crime of trafficking is committed against children from institutions. The report also states that Member States must ensure that child protection systems, including residential institutions, develop specific plans to prevent child trafficking.
- The European Parliament's Report ["The situation of children deprived of liberty in the world" \(2022/2197\(IN\)\)](#) recognises that *"about 5.4 million children are placed in institutions, which are inherently harmful to children and their development"*, and *"highlights that some of the EU candidate countries still use closed institutions for people, including children with disabilities; repeats its call on EU candidate countries for further progress to ensure that the rights of persons with disabilities are upheld and that decent living conditions for people, including children, with disabilities are ensured"*
- The European Parliament's Motion for a Resolution [on children's rights on the occasion of the 30th anniversary of the UN Convention on the Rights of the Child \(2019/ 2876\(RSP\)\)](#)

calls on the Member States “to ensure that unnecessary family separation is prevented, and that family- and community-based services are strengthened to allow all children to grow up not in institutions but in families and communities; calls on the Commission to use EU funds to support the transition from institutional to community-based services, both inside and outside the EU”.

How the European Parliament can contribute to spurring reform of the child care and protection systems in EU candidate countries

Below are our suggestions on how the European Parliament and its Members can further support the reform of child care and protection systems in the context of EU accession:

- Ensure the rights of children in institutions are addressed during the EU accession process and the preparation of a care reform strategy and action plan, together with civil society organisation with relevant experience and expertise, becomes a benchmark under chapter 23 of the Fundamentals cluster.
- By joining the Children Rights and Disability Rights Intergroups MEPs give more visibility and demonstrate their commitment to securing full exercise of those rights, including in the EU candidate countries. Initiating hearings and care-reform focused events is a way of proactively enhancing the child rights agenda.
- Rapporteurs on candidate countries could address care reform in relevant files, interactions and speeches.
- The Subcommittee on Human Rights could refer to institutionalisation as deprivation of liberty in relevant discussions.
- The annual resolutions could highlight care reform progress in candidate countries and recommend measures to support families at risk of separation from their children such as:
 - analysis of the specific situation in all countries
 - mapping the existing services and creating a care reform strategy and action plan, accompanied by a budget to meet the existing needs
 - securing the provision of mobile services and social-psychological support where needed.
- Seek input and feedback from child and disability rights CSOs when discussing files of relevance for EU accession and fundamental rights.
- Enhance closer collaboration with CSOs by:
 - establishing an accessible and inclusive formal mechanism for their input
 - enabling the carrying out of virtual meetings
 - developing guidelines for MEPs on collaboration with CSOs, emphasizing the importance of securing diverse perspectives.
- Seek input and feedback from children and young people when discussing files that concern them by:
 - creating child-friendly and accessible versions of relevant files
 - organising both written and online consultations

- securing child and youth participation, including of children and young people with disabilities, in hearings and events on subjects and files that directly concern them

The Council of the European Union (EU Council)

The Council of the EU plays a key role in the EU accession process. The Council (under the General Affairs Council configuration) establishes and supervises the EU enlargement process and the accession negotiations. On matters related to the enlargement policy, the Council generally operates by way of unanimous agreement between all the EU Member States.

When the Council decides to open a chapter for negotiation, it invites the candidate country to present its Negotiating Position (NP) and adopts the European Union Common Position (EUCP). The Council and the candidate country will subsequently formally open the chapter for negotiations at the Accession Conference.

The Council rotating **Presidency** with its functions to determine its agendas, set a work program and facilitate dialogue both at Council meetings and with other EU institutions has the potential to ensure that children in institutions and the need for care reform get further visibility, including during the accession negotiations. The consistency in the approach of the countries comprising the Presidency Trios is essential for bringing in lasting changes. For example, the Swedish Presidency's (January-June 2023) organised a high-level meeting on EU Support for the Reconstruction and Reform of Ukraine's Child Protection System and took a proactive stance by adopting the 'Declaration on Protecting Children in Ukraine and the EU: EU Support for Reforming the Child Protection System in Ukraine.'⁵²

How can the EU Council support the reform of the child care and protection systems in the context of the EU accession process

The Council should give due attention to the issues surrounding children's rights and protection, specifically focusing on the rights of children in precarious situations such as those residing in institutions. We recommend that the Council undertakes the following actions to further support care reform for children:

- Support care reform for children becoming a benchmark for the closure of chapter 23 in the Fundamentals' cluster.
- Address care reform in relevant meetings, events and files highlighting the importance of launching and advancing it as part of the EU accession preparation.
- Recommend the use of the IPA III and any other relevant funding, including technical assistance and budget support, for care reform.
- Capitalise on its Human Rights Working Party (COHOM)'s mandate to incorporate human rights considerations into EU policies by emphasising the institutionalisation being a liberty

⁵² [Swedish Presidency of the Council of the European Union \(2023\) Declaration on protecting children in Ukraine and in the European Union: EU support for reforming the child protection system in Ukraine](#)

deprivation and indispensability of care reform for upholding the rights of children in the EU accession negotiations.

- Explore together with the Commission ways of introducing the European Child Guarantee for the candidate countries.
- Other relevant Council working groups that have a role in the accession negotiations may consider addressing care reform and include its progress as a benchmark for the candidate country preparation.
- Encourage and facilitate collaboration and knowledge-sharing among Member States and candidate countries and potential candidates on inclusive child protection and care reform.

European External Action Service (EEAS)

The European External Action Service (EEAS) is the diplomatic service and foreign policy arm of the EU. Together with the European Commission, the EEAS supports the countries with aspects of the reforms linked to human rights and the most political ones. The EEAS manages the EU Delegations globally by performing a variety of tasks to ensure effective representation and implementation of the EU's foreign policy objectives. The EU Delegations have a critical role on agreeing on priorities for the spending of the EU funds together with the governments in the EU candidate and partner countries.

The EEAS also engages in human rights dialogues with non-EU countries, including the EU candidate countries, as part of its broader foreign policy efforts to promote and protect human rights worldwide.

How can the EEAS further support the reform of the child care and protection systems

The EEAS has already been vocal about the EU commitment to support the development of quality alternative care and transitioning from institution-based to family- and community-based care for children without parental support by including it, once again, in the EU Action Plan on Human Rights and Democracy 2020-2024 but also by addressing care reform in the Human Rights Dialogues and proactively looking for input by child and disability rights CSOs, including with experience of care reform. Hence, some of the actions in our below suggestions have already been undertaken. Nevertheless, we have listed them here to indicate that we recognise them as good practice that the EEAS should continue to carry out.:

- Invite organisations with expertise in and experience of care reform for children to contribute to the Human Rights Dialogues
- Address care reform during the Human Rights Dialogues with the EU candidate countries
- Ensure that the commitment to care reform is transferred to the consecutive EU Action Plans on Human Rights and Democracy and that measures for translating it into action are encouraged and funded

- Provide guidance to Delegations on how to address care reform or aspects of it during the funding programming process
- Ensure that Delegations secure meaningful consultation with children and disability rights CSOs, including those with experience of and expertise in care reform
- Recommend the establishment of a dedicated funding mechanism to support civil society organisations with capacity building regarding EU functioning and accession so that they can be equal partners in the EU accession process.

EU Delegations

EU Delegations are a key channel for communication between the EU and candidate countries. They provide information about EU policies, requirements, and standards to the candidate country and potential candidate's Government, civil society, and other stakeholders. EU Delegations monitor the candidate country and potential candidate's progress in meeting the accession criteria and offer technical assistance and expertise to support candidate countries in implementing reforms. They also agree on the EU funding priorities for the respective country together with its government and often provide financial support and technical assistance to civil society organisations working on projects that align with EU values and objectives.

How can the EU Delegations support the reform of the child care and protection systems

The EU Delegations can play a significant role in supporting care reform in the candidate countries by:

- Keeping in mind child protection and children's rights when deciding on funding priorities and address children in institutions as a particularly vulnerable group. Align funding priorities with critical areas within child care and protection, such as inclusive education and the development of diverse family and community-based services
- Ensuring that care reform becomes a funding priority, when there is a high number of institutionalised children or that aspects of it are funded under relevant areas such as education, health care, family support, food safety etc.
- Ensuring that information on public CSO consultations is accessible and reaches a wide variety of actors, including CSOs with experience in and expertise on child rights, child protection, and care reform
- Funding projects or initiatives that address identified gaps in child care and protection systems.
- Collaborating with CSOs on public awareness campaigns about the harm of child institutionalisation, sharing case studies and success stories, insights, recommendations, and concerns
- Encouraging the creation of a platform for dialogue and collaboration between civil society and government agencies responsible for child care and protection

- Support research in the area of child protection and care which can be used to inform evidence-based policies and strategies.

Looking back at two accession processes: child care reform in Romania and Bulgaria

For past examples where EU accession processes have played an important role in catalysing child care reform in EU candidate countries in the past, we can look to Bulgaria and Romania. Both countries have made significant progress in care reform as part of their EU accession process and provide a critical opportunity for learning. The lessons learnt from these two accession processes can provide a helpful starting point when considering the way forward in current accession countries. It should however be noted that Romania and Bulgaria still have high share of children at risk of poverty and social exclusion, common drivers for child institutionalisation,⁵³ with child protection and care systems drastically impacted by global crises. The reform of the child care and protection systems is still underway in both countries, and the EU continues to support them both in addressing child protection risks through key initiatives, such as the European Child Guarantee. Looking forward, it is worth mentioning as well that the Enlargement methodology was revised in 2020 which has led to the Fundamentals' cluster, including Chapter 23, a more central role.

Romania

In 1990, three per cent of the children in Romania were living in institutions where they were exposed to serious human rights violations.⁵⁴ The reform of the child care and protection systems allowed the country to significantly reduce the number of children living in institutions, to, currently, around 2,900.⁵⁵ The reform resulted in the closure of old-style institutions and the development of family-based care settings, support to families to prevent abandonment and new legislation putting the best interest of the child at the heart of the child protection system.



⁵³ Eurostat (2022) Children in poverty or social exclusion

⁵⁴ Stativa, E., Rus, A. V., Parris, S. R., Pennings, J. S., & Clocotici, O. (2017). Institutional Neglect in Romania's Long-Term Residential Centers in the 1990s from the Perspective of Children's Rights. *Child Maltreatment in Residential Care: History, Research, and Current Practice*, 27-60.

⁵⁵ [National Authority for the Promotion and Protection of Children's Rights and Adoptions \(2022\) data available until the end of Q3](#)

At the beginning of the accession process, the severe neglect, overcrowding, inadequate medical care, and poor living conditions of Romania's institutions garnered international attention. This visibility, combined with the political will, funding made available by both the EU and other international donors, and the work of international and local civil society contributed to the success of care reform in the context of the accession process.

The coordination and coherence of EU actors was decisive, with child protection framed as a child rights imperative, and the reform of the child protection system becoming a conditionality for EU accession. The EU Commissioner for Enlargement at the time, and the European Parliament's Rapporteur for Romania, championed the reform of the child protection system in the country.⁵⁶ The 1997 Opinion on Romania's official application for Membership of the European Union stated that "*The rights of the child have long been a matter of concern in Romania*" and "*many children were abandoned in squalid state orphanages. Over 100 000 children are affected, a figure which has risen slightly of late.*"⁵⁷ Romania carried out initial reforms in child protection.⁵⁸, however, only partially, as highlighted in a 1999 European Commission's report⁵⁹, and established consequently a National Agency for the Protection of Children's Rights that took over policy responsibilities for institutionalised children.⁶⁰ In 2002, 43000 children were living in residential care, and 40 000 children in family-type care.⁶¹ Romania approved the standards of foster care and a legislative package on child protection and multi-disciplinary services. At the end of the accession negotiations, most of the 85 large institutions had been closed, and the total number of children in residential care decreased to 32654.⁶² Although Romania allocated significant resources, the European Commission also provided an annual financial injection of 650 million euros during from 2000 to 2006 for Romania's National Strategy for Mid-Term Development, in which the reform of the child protection system was a priority.⁶³ While the child care and protection systems have been strengthened, Romania still faces challenges, including the high rate of children in residential care, especially within the Roma community, and a high child poverty rate.

Bulgaria

Bulgaria is often regarded as a successful example of care reform. In 2001 a child protection system was established in the country – State Agency for Child Protection on central level and

⁵⁶ Jacoby, W., Lataianu, G., & Lataianu, C. M. (2009). Success in slow motion: The Europeanization of Romanian child protection policy. *The Review of International Organizations*, 4, 111-133.

⁵⁷ [The 1997 Opinion on Romania's official application for Membership of the European Union](#)

⁵⁸ [1998 report on Romania's progress towards the fulfillment of accession criteria](#)

⁵⁹ European Commission (1999) Regular Report from the Commission on Romania's progress towards accession

⁶⁰ [European Commission \(2000\) Regular Report from the Commission on Romania's progress towards accession](#)

⁶¹ [European Commission \(2002\) Regular Report from the Commission on Romania's progress towards accession](#)

⁶² [European Commission \(2005\) Romania: comprehensive monitoring report](#)

⁶³ Jacoby, W., Lataianu, G., & Lataianu, C. M. (2009). Success in slow motion: The Europeanization of Romanian child protection policy. *The Review of International Organizations*, 4, 111-133.



Child Protection Departments on municipal level. There were 165 institutions with 12,609 children in 2001.⁶⁴

At the beginning of the reform in 2010, there were 137 specialized institutions for children in which 7600 children were housed. By the end of 2022, the number of children placed in specialised institutions had decreased

to 200 children in 4 Homes for Medical and Social Care for Children. Compared to 2010, the percentage of children in public care raised in families of relatives or close friends and foster families is much higher (66%) compared to the number of children in residential care (34%).

“For the very first time, DG REGIO and DG EMPL pooled their funds to support deinstitutionalisation and the child care reform in a country”

The Opinion on Bulgaria's application to the EU mentioned the difficult living conditions in institutions.⁶⁵ Throughout the accession process, the country undertook steps toward care reform, such as the adoption of a strategy aimed at reducing the number of children residing in specialised institutions by 10 percent between 2003 and 2005. These commitments, however, were not supported by sufficient funding and political will. Compared to 2001, by 2006 there had been a decrease of only between 22 and 27 % in the institutionalization of children.⁶⁶

When Bulgaria joined the EU in 2007, over 10,000 children lived in Bulgarian institutions, in deplorable conditions, especially for children with disabilities.⁶⁷ In 2007, a BBC reportage in an institution in Mogilino gained international attention.⁶⁸ The EU response was prompt, with the creation of the Ad-Hoc Expert Group on the Transition from Institutional to Community-based Care, led by Vladimir Spidla, European Commissioner for Social Issues at that time.⁶⁹ Three years later, Laszlo Andor, new Commissioner responsible for Employment, Social Affairs and Inclusion, and Johannes Hahn, Commissioner in charge of regional policy, jointly addressed Tomislav Donchev, Bulgarian Minister overseeing EU funds, highlighting that Bulgaria was engaged in the most methodical initiative in Europe to dismantle residential facilities for children.⁷⁰

⁶⁴ [State Agency for Child Protection](#)

⁶⁵ [European Commission \(2007\) Commission Opinion on Bulgaria's Application for Membership of the European Union](#)

⁶⁶ [State Agency for Child Protection](#)

⁶⁷ [European Commission \(2005\) Comprehensive monitoring report Bulgaria 2005](#)

⁶⁸ Ivanova, V., & Bogdanov, G. (2013). The deinstitutionalization of children in Bulgaria–The role of the EU. *Social Policy & Administration*, 47(2), 199–217.

⁶⁹ Ivanova, V., & Bogdanov, G. (2013). The deinstitutionalization of children in Bulgaria–The role of the EU. *Social Policy & Administration*, 47(2), 199–217.

⁷⁰ Ivanova, V., & Bogdanov, G. (2013). The deinstitutionalization of children in Bulgaria–The role of the EU. *Social Policy & Administration*, 47(2), 199–217.

The EU provided financial support to promote deinstitutionalisation and the reform of child protection and care. For the very first time, the Directorate General on Regional Policy and the Directorate General for social policies pooled their funds to support deinstitutionalisation and the child care reform in a country, through the European Social Fund (ESF) and the European Regional Development Fund (ERDF),⁷¹ facilitating the joint implementation of construction, renovation, and equipment, workforce recruitment and training, and monitoring. These funds have also been used for capacity building, training, development of community-based services, and other activities aimed at transitioning children from institutional to family and community-based care.⁷² The EU has encouraged Bulgaria to align its policies and practices with international standards for child protection and establish robust monitoring and evaluation mechanisms to track the progress of the deinstitutionalisation effort, in collaboration with NGOs.⁷³

Bulgaria's significant progress in closing numerous institutions for children is commendable. In 2015, all 24 institutions for children with disabilities, housing a total of 1,800 children, were closed. During the period from 2016 to 2018, all institutions catering to children aged 3 to 6 years who were deprived of parental care, along with 7 institutions for children deprived of parental care from 7 to 18 years, were closed as well (resulting in a 95% decrease in the number of children).⁷⁴ With four institutions left in 2024, the ongoing commitment to their closure and the provision of comprehensive support to the affected children has the potential to set a compelling example for other European countries, showcasing the role of the EU in protecting the most vulnerable. There remains work to be done: greater efforts are required to promote the development of family-based care and services to prevent family separation, to reduce reliance on small-scale residential care for children, and it is crucial to maintain unwavering dedication to this vital mission at EU and national level. Ensuring that the closure process proceeds smoothly and efficiently while simultaneously reducing the overall number of children in alternative care should remain at the forefront of collective efforts.

Conclusion

The EU accession process offers a unique opportunity to put children, their rights and wellbeing in the centre of the reforms to be undertaken in the EU candidate countries and potential candidates. Growing up in safe and caring families and having access to basic services is a

⁷¹ [European Commission \(2009\), Report of the Ad Hoc expert group on the transition from institutional to community-based care](#)

⁷² Ivanova, V., & Bogdanov, G. (2013). The deinstitutionalization of children in Bulgaria–The role of the EU. *Social Policy & Administration*, 47(2), 199–217.

⁷³ Ivanova, V., & Bogdanov, G. (2013). The deinstitutionalization of children in Bulgaria–The role of the EU. *Social Policy & Administration*, 47(2), 199–217.

⁷⁴ [State Agency for Child Protection](#)

right for every child. It is also a key feature of any inclusive, fundamental rights-oriented society. Therefore, it is indispensable that the reform of the child protection and care systems is addressed, supported, including with funding, and monitored throughout the EU accession process. The EU has, already for decades, integrated this understanding in its policy and legislative instruments in both its internal and external action. This Toolkit aims to build on the existing solid base and provide guidance on what else can be done to capitalise on the potential of the EU accession process to ensure that all children can exercise their rights in an equal and inclusive way. We hope that you will find it useful.

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