

UN CRC Signature Date	Ratification Date	Care-Related Concluding Observations
31 May 1990	03 June 1991	<p>CRC/C/BGR/CO/3-5 3 June 2016 http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fBGR%2fCO%2f3-5&Lang=en</p> <p>Non-discrimination</p> <p>19. While noting as positive the introduction of a National Strategy of the Republic of Bulgaria for Roma Integration 2012 – 2020, the Committee remains deeply concerned at the persistent discrimination against Roma children. Of particular concern are reports indicating that existing discrimination against Roma in all areas of life is among the principal reason leading to the placement of Roma children in institutions. Further concern is expressed that Roma children, as well as children with disabilities, asylum seeking and refugee children, minority children and children living in remote areas, continue to face discrimination with regard to access to education, health care and adequate housing. The Committee is also concerned that the Commission for the Protection against Discrimination does not have a special unit to deal with cases of discrimination against children.</p> <p>20. The Committee urges the State party to:</p> <p>(a) Ensure full implementation of relevant existing laws prohibiting discrimination, including by strengthening public education campaigns to address negative social attitudes towards Roma children, children with disabilities, minority children and refugees and asylum seeking children;</p> <p>(b) Ensure that children living in rural areas have access to quality education, adequate health care and housing;</p>

	<p>Right to life, survival and development</p> <p>23. While noting as positive the overall decrease in child mortality since 2008, the Committee is concerned at the high rate of infant mortality in some parts of the country due to a lack of adequate health care, poverty, inadequate nutrition and the existence of harmful traditional practices. The Committee is also seriously concerned at the continuing allegations of serious abuse resulting in a high number of deaths of children between the ages of 0-3 who are deprived of parental care, as well as children with intellectual and psychosocial disabilities in Institutions for Medical and Social Care for Children (IMSCC). The Committee is also concerned that socio-economic inequalities place children from marginalised and deprived areas at particular risk of unintentional injury due to exposure to unsafe home, play and road environments.</p> <p>D. Violence against children (arts. 19, 24, para.3, 28, para. 2, 34, 37 (a) and 39)</p> <p>Freedom of the child from all forms of violence</p> <p>27. The Committee notes as positive the efforts made by the State party to develop a child protection system, in particular through provisions outlined in the Child Protection Act and the Family Code; the establishment of a coordination mechanism to address cases of children who are victims or at risk of violence; the establishment of an expert task force to tackle bullying in schools; and the introduction of a National Helpline for Children in 2009. Despite this progress the Committee is deeply concerned at:</p> <p>(a) The inhuman or degrading treatment, including physical, psychological and sexual abuse, among and against children living in institutional care homes;</p> <p>(b) Reports indicating that children in Juvenile Detention Centres, Socio-Pedagogical Boarding Schools, Correctional Boarding Schools and Homes for the Temporary Placement of Minors and Juveniles, suffer from disproportionate punishment including physical beatings, arbitrary periods in solitary confinement and limited food rations;</p>
--	---

		<p>28. With reference to Sustainable Development Goal 16.2 to end, <i>inter alia</i>, all forms of violence against children, and General Comment 13 on the right of the child to freedom from all forms of violence, the Committee urges the State party to:</p> <p class="list-item-l1">b) Ensure that child victims of ill-treatment are provided with care and rehabilitation programmes, and ensure that re-victimisation of any kind is avoided;</p> <p class="list-item-l1">c) Strengthen capacity-building programmes for teachers and staff members of child care facilities, in order to promote positive and alternative forms of discipline and respect for children's rights and to raise awareness about the adverse consequences of corporal punishment on children;</p> <p>E.Family environment and alternative care (arts. 5, 9-11, 18 (paras. 1 and 2), 20-21, 25 and 27 (para. 4))</p> <p>Children deprived of a family environment</p> <p>34. While the Committee welcomes the progress made through the State party's deinstitutionalization process in considerably reducing the number of children living in institutional care and increasing the number of children entering family based care, it remains seriously concerned that:</p> <p class="list-item-l1">(a) The number of children, including children up to 3 years, placed in formal care is still significant, with the risk of family separation and institutionalisation remaining high for children from the most disadvantaged groups including Roma children and children with disabilities;</p> <p class="list-item-l1">(b) Lack of support and inadequate training for social workers and staff in Family Type Placement Centres, along with gaps in the child protection system, has led to the separation of children from their families without proper assessment and planning with the risk of re-institutionalisation remaining high;</p>
--	--	--

		<p>(c) Implementation of the <i>I Have a Family too</i> project is relatively slow due to lack of coordination among relevant agencies, while the lack of capacity and management of foster care services has led to poor placement decisions;</p> <p>(d) Family court judges tend to choose placement of the child in institutional care, rather than prioritising support to the original family to keep their children;</p> <p>(e) Support for reintegration in the society of children and young people leaving care, including those with disabilities, is insufficient.</p> <p>35. Drawing the State party's attention to the Guidelines for the Alternative Care of Children (General Assembly resolution 64/142, annex), the Committee emphasizes that financial and material poverty — or conditions directly and uniquely attributable to such poverty — should never be the sole justification for removing a child from parental care, for receiving a child into alternative care or for preventing a child's social reintegration. In this regard, the Committee recommends that the State party:</p> <p>(a) Urgently reduce placement of children under the age of 3 years in residential care institutions, including those with disabilities, and expedite the placement in family-based care;</p> <p>(b) Ensure adequate safeguards and clear criteria, particularly for Roma children and children with disabilities, based on the needs as well as best interests of the child, for determining whether a child should be placed in alternative care;</p> <p>(c) Ensure institutionalization is used only in the short term, including by providing information to expectant parents and healthcare workers who serve new parents, on the rights and dignity of children with disabilities;</p> <p>(d) Ensure implementation of proper preparation procedures, before relocation to the newly established Family Type Placement Centres, including adequate child participation, and develop a monitoring mechanism to ensure that staff receive adequate and regular training and supervision;</p>
--	--	--

		<p>(e) Ensure adequate legal safeguards and clear criteria for determining whether a child should be placed in alternative care, taking into consideration the views and best interests of the child, and enforce such criteria by raising awareness of family court judges;</p> <p>(f) Support and monitor regular and appropriate contact between the child and their family, provided that it is consistent with the child's best interests;</p> <p>(g) Strengthen support to children and young people leaving care, including those with disabilities, to enable them to reintegrate into society, by providing access to adequate housing, legal, health and social services, as well as educational and vocational training opportunities;</p> <p>(h) Raise awareness in society to counter the stigmatization and discrimination of children in alternative care.</p> <p>Adoption</p> <p>36 While the Committee notes that the number of adoptions of children with disabilities and special needs has increased, it remains concerned that the number of adoptions of children with severe disabilities has only slightly increased and the number of adoptions of Roma children remains very low.</p> <p>37 The Committee reiterates its recommendations of 2008 (CRC/C/BGR/CO/2, para. 38) and further recommends that the State party:</p> <p>(a) Ensure that children with disabilities and Roma children are not discriminated against in the adoption process and establish programmes to reduce misconceptions related to the adoption of children with severe disabilities and Roma children;</p> <p>(b) Amend the Family Code to ensure that children under the age of 14 are consulted in all decisions that affect their lives, including in cases of adoption;</p>
--	--	---

		<p>(c) Ensure enhanced coordination of relevant agencies along with sufficient staff training to ensure appropriate long term support for the adopted child and adoptive parents;</p> <p>(d) Introduce legislation guaranteeing the right of the child to know his or her origins in line with Universal Periodic Review recommendation 80.79 of 2011 (A/HRC/16/9).</p> <p>F. Disability, basic health and welfare (arts. 6, 18 (para. 3), 23, 24, 26, 27 (paras. 1-3) and 33)</p> <p>Children with disabilities</p> <p>38. While the Committee welcomes the State party's ratification of the Convention on the Rights of Persons with Disabilities in 2012, along with the adoption of a number of strategic national plans, it is concerned that:</p> <p>(a) The inexistence of a standard legal definition of a child with a disability, combined with a lack of reliable data, hinders the delivery and evaluation of services for them;</p> <p>(b) A disproportionate number of children with disabilities continue to live in institutions, due to, inter alia, the stigmatisation of children with disabilities and a fragmented system of social assistance which does not sufficiently encourage and support families to keep their children at home;</p> <p>(c) Parents may decide that a child with disabilities will not attend inclusive education, without taking into account his/her best interests, resulting in a large proportion of children with disabilities attending special schools;</p> <p>(d) Although the Draft Law on Pre-school and School Education proposes the development of a system of inclusive education, it does not provide for the necessary measures to change teaching methods, or for the provision of specialised training for teachers. It also proposes establishing three categories of alternative support centres for children with disabilities, which may undermine efforts to ensure inclusive education for all;</p>
--	--	---

		<p>(e) Inclusion of children with intellectual and psychosocial disabilities remains unsatisfactory due to a lack of trained specialists, including, speech therapists, mental health professionals and psychologists.</p> <p>Standard of living</p> <p>46. While noting as positive the efforts undertaken by the State party to address poverty and social exclusion through the 2020 National Strategy for Reducing Poverty and Encouraging Social Inclusion, and the National Development Programme: 2020, the Committee remains deeply concerned that:</p> <p class="list-item-l1">(a) Children in marginalised and remote and rural communities continue to be disproportionately affected by poverty, while families with more than three children, Roma families, and families with children with disabilities are at higher risk of experiencing multidimensional poverty;</p> <p class="list-item-l1">(b) Inadequate housing continues to be a problem, particularly for Roma families who are often subjected to forced evictions, leaving children without access to basic services including clean and safe drinking water and sanitation, and therefore vulnerable to serious health problems.</p> <p>47. The Committee draws attention to Sustainable Development Goal 1, target 1.3 on implementing nationally appropriate social protection systems and measures for all and recommends that the State party:</p> <p class="list-item-l1">(a) Consider holding targeted consultations with families and children, including those in vulnerable situations, particularly Roma families, as well as children's rights civil society organizations, with a view to strengthening the strategies and measures for reducing child poverty;</p> <p class="list-item-l1">(b) Strengthen the support to children living below the poverty line, in particular single-parent families, families with three or more children and families with children with disabilities, and ensure that social protection measures provide for the real costs of decent living of the children, including expenses relevant to</p>
--	--	---

		<p>their right to health, nutritious diet, education, adequate housing and water and sanitation;</p> <p>(c) Review its legislation, policies and programmes on housing in order to prevent and eliminate homelessness, taking into account special needs of children, including Roma children, children with disabilities, their families and young people leaving alternative care;</p> <p>(d) Ensure that the policies, projects and practices on development and the governance of land, including those which may entail relocation, are in line with relevant international standards, including the basic principles and guidelines on development-based evictions and displacement (see A/HRC/4/18, annex 1) and with the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security, adopted by the Committee on World Food Security of the Food and Agriculture Organization of the United Nations in 2012.</p> <p>48. The Committee welcomes efforts made to reduce urban and rural disparities in accessing quality education, to enhance the provision of early childhood education, to integrate Roma children into mainstream schools, to reduce dropout rates, and to guarantee access to free public education and educational support services for asylum-seeking and refugee children. However, the Committee remains seriously concerned that:</p> <p>(a) Children living in rural areas and small towns still face inequality in accessing quality education;</p> <p>(d) Asylum-seeking children placed in detention centres based in remote areas do not have access to full-time education.</p> <p>49. In light of its general comment No. 1 (2001) on the aims of education and taking note of Sustainable Development Goal 4, targets 4.1 and 4.2 to ensure that by 2030 all girls and boys complete free, equitable and quality primary and secondary education, and have access to quality early</p>
--	--	--

		<p>childhood development, care and pre-primary education, the Committee recommends that the State party:</p> <p>(d) Ensure the full enjoyment of the right to education by asylum-seeking children, regardless of their status, length of stay or residence, on equal footing with all other children in the country.</p> <p>H.Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d), 38, 39 and 40)</p> <p>Asylum-seeking and refugee children</p> <p>50. While the Committee welcomes the State party's continued cooperation with UNHCR, along with efforts it has made to improve reception facilities and the registration process for asylum seekers and refugees, it is concerned that:</p> <p>(a) A targeted refugee integration support programme has not been in place since 2014;</p> <p>(b) Due to lack of space in reception centres, in some cases, unaccompanied asylum seeking children are placed in rooms with adults, while reports suggest overcrowding and poor hygiene place children at risk;</p> <p>(c) Under current regulations a working mechanism to appoint a guardian for unaccompanied children does not exist;</p> <p>(d) Despite amendments to the Law on Foreigners stipulating that unaccompanied children should not be detained but should be cared for by the Social Assistance Directorate, they continue to be detained, in exceptional circumstances for up to 3 months. Similarly proposals to detain asylum seekers, including children, in closed reception centres to ensure family unity have been made without due regard for the best interest of the child, including their physical, emotional and physical development or sufficient guarantees to ensure access to judicial review;</p>
--	--	--

- | | | |
|--|--|--|
| | | <p>(e) There are no administrative or financial arrangements in place to ensure free legal assistance for asylum-seekers including unaccompanied children;</p> <p>(f) The procedures for family reunification are not physically and economically accessible for many asylum-seekers and refugees and are overly demanding in terms of requirement for documentation and physical verification of applicants;</p> <p>(g) The absence of a proper identification procedure and lack of sufficient interpreters at the border increases the risk of unaccompanied children entering the country being identified as 'accompanied' and therefore placed in detention centres or they may not be promptly referred to the State Agency for Refugees;</p> <p>(h) Hate speech against asylum seekers and refugees in the media as well as among high ranking officials is on the rise.</p> |
|--|--|--|

51. In light of General comment No. 6 on the treatment of unaccompanied and separated children outside their country of origin, the Committee recommends that the State party:

- | | |
|--|--|
| | <p>(a) Ensure that sufficient provisions are made to prevent unaccompanied asylum seeking children from being placed in rooms with unrelated adults;</p> <p>(b) Take all necessary legal and practical steps to ensure the timely appointment of guardians for unaccompanied and separated children;</p> <p>(c) Avoid any form of detention of asylum-seekers under 18 and families with children and consider all possible alternatives, including unconditional release, prior to detention. In doing so, the Committee draws attention to the UNHCR Revised Guidelines on Applicable Criteria and Standards relating to the Detention of Asylum-Seekers (26 February 1999);</p> <p>(g) Take all necessary measures to safeguard the principle of family unity for refugees and their children, including by making administrative requirements for family unification more flexible and affordable;</p> |
|--|--|

	<p>Children belonging to minority groups</p> <p>52. The Committee is concerned that:</p> <p class="list-item-l1">(b) Roma families with children living in informal settlements face forced eviction;</p> <p class="list-item-l1">(c) Roma families face difficulty in accessing social protection services and social integration programmes.</p> <p>Administration of juvenile justice</p> <p>58. While the Committee notes as positive efforts undertaken to reform the juvenile justice system through the adoption in 2011 of the Concept for Public Policy on Justice for Children and the Road Map for its implementation in 2013, along with the adoption of the Strategy for Judicial Reform of the Minister of Justice in 2015, and the training of Magistrates in relation to child rights, it remains deeply concerned that the majority of its previous recommendations have yet to be implemented (CRC/C/BGR/CO/2, para. 69). It is particularly concerned that:</p> <p class="list-item-l1">(a) Children as young as 8 years continue to be deprived of liberty in correctional facilities under the Juvenile Delinquency Act;</p> <p class="list-item-l1">(b) The principle of deprivation of liberty as a last resort, and for the minimum period of time, is not explicitly provided for in legislation;</p> <p class="list-item-l1">(e) A large number of children continue to be placed in juvenile correctional and educational facilities, with inadequate living conditions, often isolated from the wider community and limited contact with family.</p> <p>59. In relation to the abovementioned concerns the Committee urges the State party to implement its previous recommendations (CRC/C/BGR/CO/2, para. 69) as a matter of priority.</p> <p>60. The Committee expresses further concern that:</p>
--	---

(a) Children with intellectual and psychosocial disabilities, severe health issues such as HIV/AIDS, and drug addiction continue to be placed in Social-Pedagogical Boarding Schools and Correctional Boarding Schools;

(b) Pregnant girls placed in correctional facilities are often deprived of adequate living conditions, including a safe environment, adequate food and nutrition and a lack of access to appropriate medical care. Separation of mother and child after birth is apparently common place;

(c) Legal counsel and representation is not guaranteed for children, while periodic review and monitoring of correctional facilities is lacking. The placement of children in Homes for Temporary Placement of Minors and Adolescents is implemented by administrative order without the possibility of judicial review.

61. The Committee urges the State party to:

(a) Ensure that children placed in specialised educational facilities have access to protection measures under the Child Protection Act;

(b) Ensure the provision of adequate living conditions, including the right to adequate food and nutrition, medical care and a safe environment for pregnant girls placed in correctional facilities;

(c) Monitor the implementation of alternatives to deprivation of liberty handed down by courts to ensure that it is only used as a last resort and for the shortest possible period of time and that it is reviewed on a regular basis with a view to withdrawing it;

(e) In cases where detention is unavoidable, ensure that the children are not detained together with adults and that detention conditions are compliant with international standards, including with regard to access to education and health services.

Country Report		
CRC/C/BGR/3-5 http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fBGR%2f3-5&Lang=en		
OPSC to CRC	Ratification Date	Care-Related Concluding Observations
8 June 2001	12 Feb 2002	
OPAC to CRC	Ratification Date	Care-Related Concluding Observations
8 June 2001	12 Feb 2002	
ICCPR	Ratification Date	Care-Related Concluding Observations
8 October 1968	21 Sept 1970	
ICESCR	Ratification Date	Care-Related Concluding Observations
8 October 1968	21 Sept 1970	
CEDAW	Ratification Date	Care-Related Concluding Observations
17 July 1980	8 February 1982	
CRPD	Ratification Date	Care-Related Concluding Observations
27 Sep 2007	22 March 2012	
UPR	Date of Consideration	Link to Page
	7 May 2015	http://www.ohchr.org/EN/HRBodies/UPR/Pages/BGSession22.aspx

Hague Intercountry Adoption	Ratification Date	Link to Country Profile
	15 May 2002	https://www.hcch.net/en/states/hcch-members/details1/?sid=7

Acronyms and Abbreviations:

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCRP	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review