Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 11546
27 March 2008

Situation of abandoned and disabled children in Bulgaria

Motion for a recommendation[1]
tabled by Mr Geert LAMBERT and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

The Parliamentary Assembly draws attention to the fact that the United Nations Convention on the Rights of the Child, the landmark text on child protection, recognises that children are entitled to grow up in a family environment; they should therefore only be placed in institutions as a last resort, where absolutely necessary. In some countries, which are now Council of Europe member states, abandoning children – usually children with disabilities and "economic orphans" – and placing them in institutions used to be accepted as standard practice or on the grounds that it was the only possible solution.

The Assembly recalls and reaffirms its Recommendations 1601 (2003) and 1698 (2005) aimed at improving the lot of abandoned children in institutions.

Even though budgetary restrictions result in choices which have to be made on the priorities taken in the health care system, the need to help weak persons, specifically the elderly and children, has to be a standard in Council of Europe member states.

A report by the British journalist Kate Blewitt about a centre for disabled children in the town of Mogilino, Bulgaria, shows the dramatic situation of abandoned children with minor (or progressive) disabilities. It shows children who are totally left on their own; no adult, not even the institution's staff members, did anything to help, thus worsening their situation. Some had even lost the ability to speak due to lack of people talking to them.

It seems that the authorities have now taken action against the responsible persons in that particular centre. Nevertheless, the centre in Mogilino only goes to show the situation of other institutions in Bulgaria.

Successive Bulgarian Governments have said that they would intervene and change these unacceptable conditions, but until now the situation has not been changed effectively, even though the World Bank, the European Union and other institutions have spent more than US$30 million on loans and donations to help solve this problem.

The Assembly therefore recommends that the Committee of Ministers urge Bulgaria to:

i. prepare and publish a map of children's institutions which must be closed down and draw up a timetable for their closure;

1. Referred to the Social, Health and Family Affairs Committee, for information: Reference No. 3438 (18th Sitting, 18 April 2008).

ii. promote, in co-operation with civil society, an active policy for removing children from institutions and restoring family ties by introducing alternative arrangements, and especially by returning children to their own families, placing them in foster families or family-type homes, setting up day centres, and so on, and promoting adoption within their own country;

iii. systematically improve the training of staff in children's institutions to ensure that they are properly qualified, where necessary by means of foreign partnerships;

iv. introduce policies to provide assistance to families in difficulty or those which have a child with a disability, to prevent the abandonment of children.

The Assembly recommends that the Committee of Ministers ask Bulgaria to ensure that:

i. the diagnosis of children's disabilities and the decision to place them in institutions are accompanied by full safeguards for the fundamental rights of children and involve regular reassessment, and that there are appeal procedures;

ii. children living in institutions have access to appropriate health care and are given the education and training they require to make up for inadequate schooling and social marginalisation, so as to ensure that, as young adults leaving the institution on reaching the age of maturity, they have other prospects than life in the street or a psychiatric hospital;

iii. abandoned children living in institutions have access to effective representation (ombudspersons, specialist judges, NGOs, etc.), independent of the executive;

iv. they establish, in accordance with their legal system, the post of a special ombudsperson for children to provide an effective protection of children's rights, including the rights of abandoned children.

The Assembly asks the Committee of Ministers to urge Bulgaria to:

i. take an active part in Council of Europe activities on behalf of people with disabilities, for example, the Partial Agreement in the Social and Public Health Field;

ii. make use of Council of Europe Development Bank loans to improve the conditions in which children are cared for in institutions;

iii. launch a major national information campaign to make people aware of the rights of children with disabilities in an endeavour to change attitudes and the way in which they and their place in society are perceived.

Signed (see overleaf)

Signed[2]*:*

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