



ALTERNATIVE FAMILY CARE IN BULGARIA

ALFACA

Country specific separate annex to the ALFACA
Manual

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Authors: Ani Arutyunyan, Alexander Milanov, Evgeniya Toneva

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1. NATIONAL CONTEXT

1.1 UASC in Bulgaria at a glance

| Facts and figures | |
|---|---|
| Numbers of unaccompanied asylum-seeking children (UASC) | 481 UASC crossed the country in 2018. This number has been drastically and steadily decreasing over the last three years. |
| Reception in families | <ul style="list-style-type: none"> • Children are mostly boys, girls make an exception (less than 5%). • Children over 14 years of age represent 80% of all cases. • Children are from Afghanistan (over 80%), Iraq, and Syria. |
| Reception system | The children live in government-run reception centres where they are awaiting a decision regarding the acquisition of refugee status. They are frequently accommodated together with the adults. Only those children who are beneficiaries of international protection (BIPs) actually have the right to social assistance and accommodation in social services in the community. |
| Reception in families | There is no practice and no perspectives towards developing one so far. |
| Key Challenges | <ul style="list-style-type: none"> • Bulgaria is predominantly a transit country. • Public attitudes towards refugees are generally negative. • Lack of developed systems for early identification, assessment and referral mechanisms for UASC. |
| Key Actors in working with UASC | <ul style="list-style-type: none"> • State Agency for Refugees (SAR) • Agency for Social Assistance (ASA) • Ministry of Labor and Social Policies (MLSP) • Ministry of Interior • IOM Bulgaria • Caritas Bulgaria |

1.2 Facts and Figures

According to the official statistics less and less foreigners are seeking and granted protection in Bulgaria. In 2018, humanitarian and refugee status has been granted to 2 536 persons altogether. In comparison, this is the approximate number of people seeking asylum in the country just for the first two and a half months of 2014 during the height of the refugee crisis in Europe. In 2014 and 2015 the number of asylum applicants in the country exceeded 20,000 which is more than 10 times the number of people that were entering the country seeking protection in the two consecutive years of 2017 and 2018.¹

Due to the dynamics of the political developments a tendency for instability in the migration flow has always been present on the Balkans, the state interprets the current drop in the number of refugees is a significant and important one. According to the national government, key policies have been implemented in terms of strengthening the border and managing the migration process that are causing a sustainable decrease in the number of refugees.

However, there are still reports of frequent pushbacks, excessive use of force and theft by border police. Irregular border crossing remained criminalised, resulting in administrative detention of migrants and refugees, including unaccompanied children. Human rights organisations documented numerous allegations of ill-treatment of refugees and asylum-seekers and substandard conditions in detention facilities.

Public attitudes towards refugees and migrants remain generally negative with the subject being very sensitive in a political sense in Bulgaria as well as elsewhere in Europe. In February 2018, local authorities in the town of Elin Pelin refused to receive a Syrian family that had been granted humanitarian status in Bulgaria. The mayor publicly warned that "Muslims from Syria [were] not welcome" and refused to register the family or issue them with identity documents. Other municipalities expressed a similar unwillingness to accommodate refugees.

Later that year, the government adopted the Regulation on Integration of Refugees; however, this fell short of providing an effective mechanism for integration. According to UNHCR, the UN refugee agency, the Regulation failed to address the persistent problem of unco-operative municipalities or to propose measures to create more favourable conditions for integration in local communities. It also failed to address the gaps in refugees' access to social housing, family benefits for children or language training, which limited their enjoyment of social and economic rights. The government issued an order restricting freedom of movement for registered asylum-seekers. Adopted in September, it imposed territorial limits for asylum-seekers in refugee centres, prohibiting them from moving out of prescribed areas.

Although in 2018 Bulgaria committed to accept 1,302 asylum-seekers from Greece and Italy under the EU emergency relocation scheme, it had only resettled 50 people from Greece by the end of the year. It did not receive any Syrian refugees from Turkey under the EU-Turkey

¹ SAR, 2018, *Statistics*, available at: <https://aref.government.bg/index.php/bg/node/238> [accessed 26 March 2019].

"one-for-one" resettlement deal although it had originally committed to accept 100 people under the scheme²

1.2.1 Compliance with asylum *acquis*³

- **Infringement proceedings:** The European Commission sent a letter of formal notice on 8 November 2018 concerning the incorrect implementation of EU asylum legislation in Bulgaria.⁴ The Commission has found shortcomings in the national asylum system and related support services, in breach with asylum *acquis* and the Charter of Fundamental Rights. Concerns related to: accommodation and legal representation of unaccompanied children; correct identification and support of vulnerable asylum seekers; provision of adequate legal assistance; and detention of asylum seekers, as well as safeguards in detention procedures.

Asylum procedure

- **Access to territory:** Push backs, violence, robbery and humiliating practices continue to be widespread along the border with Turkey. Turkish agencies and organisations report figures of 10,000 individuals and above on a monthly basis, pushed back collectively from Bulgaria and Greece. Low new arrivals figures in Bulgaria in the first half of 2018 indicate unofficial, though effective, cross-border cooperation between Bulgarian and Turkish governments to fully prevent the access through this external EU border, at least for the duration of the Bulgarian Presidency of the EU Council. Alongside push backs this cooperation rendered even more difficulties for access to the territory and international protection of those in need of it.
- **Appeal:** The effectiveness of the appeal system as the sole avenue for independent revision of first instance decisions is likely to be seriously undermined following some recent developments. In March 2018, the recently appointed Chair of the Supreme Administrative Court,⁵ announced to have ordered measures to compensate delays in the appointment of hearings relating to some types of cases, including asylum ones.⁶ The Chair reported to have instructed judges to decide these cases prior to 30 June 2018.⁷ As a result, 100 asylum cases were moved from the 3rd Section, specialised in asylum and refugee law, to the 4th Section of the Court, which has never ruled on such cases. All cases were indeed heard and decided by this Section prior to 30 June 2018 with 94% refused, including by overruling positive court decisions of the previous instance.⁸ The overwhelming majority of the

² Amnesty International, *Amnesty International Report 2017/18 - Bulgaria*, 22 February 2018, available at: <https://www.refworld.org/docid/5a9939384.html> [accessed 27 March 2019].

³ Bulgarian Helsinki Committee, 2018, *Country Report: Bulgaria*, available at: <https://www.asylumineurope.org/reports/country/bulgaria> [accessed 26 March 2019].

⁴ European Commission, 'November infringements package: key decisions', MEMO/18/6247, 8 November 2018, available at: <https://bit.ly/2RETZfR> [accessed 27 March 2019].

⁵ Lex.bg, 'BCC избра отново Георги Чолаков за шеф на ВАС', 19 October 2017, available in Bulgarian at: <https://bit.ly/2RTcVru> [accessed 27 March 2019].

⁶ Lex.bg, 'ВАС ще заседава извънредно по забавени дела', 28 March 2018, available in Bulgarian at: <https://bit.ly/2WrXLl3> [accessed 27 March 2019].

⁷ *Ibid.*

⁸ AIDA, 'Bulgaria: Developments in the treatment of asylum claims from Afghanistan', 6 August 2018, available at: <https://bit.ly/2ALvpC3> [accessed 27 March 2019].

judgments shared similar and purely formal reasoning without any individual assessment. This practice with identical results continued during the course of the whole year.

- **Differential treatment of specific nationalities:** Nationalities from countries such as Turkey, Ukraine, China and Algeria are treated as manifestly unfounded, with 0% recognition rates. The recognition rate of Afghan asylum seekers improved from 1.5% in 2017 to 24% overall in 2018, but still only as a result of litigation before domestic courts, and still far below the average EU rates. Recognition of Iraqi applicants continued to be low with 12% overall recognition – 3% refugee status and 9% subsidiary protection.

Reception conditions

- **Reception capacity:** On 17 December 2018, Vrazhdebna shelter was closed for an indefinite period of time and residents were transferred to other reception centres. The State Agency for Refugees (SAR) stated to have been unable to accomplish tendering and selection procedures for shelters' security services. Vrazhdebna for long remained the only national asylum reception facility with decent living conditions and had just recently been fully renovated with EU funding.

Detention of asylum seekers

- **Duration of detention:** The delays in the release and registration of asylum seekers applying while in pre-removal detention centres were largely overcome, by registrations made within 9 calendar/7 working days, or with just a one-day delay on average.
- **Status determination in pre-removal centres:** The SAR continued, though in a limited number of cases, to conduct asylum procedures in pre-removal centres, in violation of the law. In contrast to previous years, in 2018 this practice affected "deportable" applicants in possession of valid national documents, while courts continued to find the violation insignificant for not severely damaging asylum seekers' rights.
- **Status determination in closed reception facilities:** Very few asylum seekers have been ordered asylum detention pending their procedures based on the grounds envisaged in the national and EU law. However, the length of the detention in these cases exceeded by far the purpose and the limits of the law, reaching 196 days on average.

Content of international protection

- **Integration:** No integration activities are planned, funded or available to the general population of recognised refugees or subsidiary protection holders. Altogether 13 status holders benefitted an integration support, but all of them were relocated with funding provided under the EU relocation scheme, not by the general national

integration mechanism. The national “zero integration” situation thus now continues over 5 consecutive years.

1.2.2 Statistics

The SAR publishes monthly statistical reports on asylum applicants and main nationalities, as well as overall first instance decisions.⁹ Further information is shared with non-governmental organisations in the context of the National Coordination Mechanism. The Ministry of Interior also publishes monthly reports on the migration situation, which include figures on apprehension, capacity and occupancy of reception centres.¹⁰

Breakdown of the total numbers of applications and granting of protection status at first instance (2018)

| | Total number of applicants | Refugee status | Refugee rate | Subsidiary protection | Sub. Prot. rate |
|--------------------|----------------------------|----------------|--------------|-----------------------|-----------------|
| Afghanistan | 1 101 | 20 | 4% | 15 | 2% |
| Iraq | 635 | 7 | 3% | 25 | 9% |
| Syria | 503 | 261 | 42% | 350 | 56% |
| Pakistan | 159 | 8 | 29% | 0 | 0% |
| Iran | 43 | 1 | 3% | 3 | 12% |
| Turkey | 13 | 0 | 0% | 0 | 0% |
| Stateless | 13 | 2 | 9% | 16 | 73% |
| Ukraine | 9 | 0 | 0% | 0 | 0% |
| Egypt | 9 | 6 | 67% | 1 | 11% |
| Algeria | 7 | 0 | - | 0 | - |

Gender/age breakdown of the total number of applicants (2018)

| | Number | Rate |
|-----------------------------------|------------|------------|
| Total number of applicants | 2,536 | 100% |
| Men | 2,072 | 81.7% |
| Women | 464 | 18.3% |
| Children | 841 | 33.2% |
| Unaccompanied children | 481 | 19% |

⁹ SAR, *Statistics and reports*, available at: <http://bit.ly/2DPWlxw> [accessed 27 Marc 2019]. Only the latest available statistics are published at any given time.

¹⁰ Ministry of Interior, *Migration statistics*, available at: <http://bit.ly/2mJsZDs> [accessed 27 March 2019].

Less than half - or 19% - of all 841 children that have entered the country in 2018 are officially classified as unaccompanied children. By means of comparison, in 2017 714 children were intercepted at border crossing points and within the territory of the country, an 89% decrease compared to 2016 (6,447). Among those, 27% were unaccompanied or separated children (195) which presents a 93% decrease compared to 2016 (2,768).

Out of the 481 children who sought international protection in Bulgaria in 2018, only 8% - or exactly 40 children - are under the age of 14 (or "minor" according to Bulgarian law). 27 of the children have been granted refugee status in Bulgaria, 286 children received rejections from the SAR, and 168 proceedings have been terminated with no mention of the reasons for termination. It is unofficially recognised that all these children have left the country illegally before the procedure has been brought to an end.

Gender/age breakdown of the total number of UASC in the country (2019)

| | Number of UASC 01/01/2019 - 31/03/2019 | | | | | | | | | | | |
|--------------|---|------|-------|-------|------|------|-------|-------|-------|------|-------|-------|
| | | | | | Boys | | | | Girls | | | |
| | | Age | | | Age | | | Age | | | | |
| | | 0-13 | 14-15 | 16-17 | | 0-13 | 14-15 | 16-17 | | 0-13 | 14-15 | 16-17 |
| Total | 28 | 6 | 5 | 17 | 27 | 5 | 5 | 17 | 1 | 1 | 0 | 0 |
| Afghanistan | 24 | 4 | 5 | 15 | 24 | 4 | 5 | 15 | | | | |
| Iraq | 1 | 1 | | | 1 | 1 | | | | | | |
| Syria | 3 | 1 | | 2 | 3 | | | 2 | 1 | 1 | | |

UASC in Bulgaria are almost exclusively boys in their teenage years, more than half of whom are over 16 years old and come from Afghanistan. Girls end up in the country as an exception. The children cross Bulgaria on their way to a country in Western Europe, where - as they claim - their close relatives expect them. They are extremely independent and highly motivated to complete their journey successfully, as a rule they are not interested in the possibilities of living in Bulgaria and do not seek to establish relations with anyone. Moreover, they do not apply for refugee status in Bulgaria, which puts them in a "legal vacuum" situation: without clear residence status in the country, they have no access to social services and support, healthcare, and education.

1.3 Legislation

Main legislative acts relevant to asylum procedures, reception conditions, detention and content of protection

| Title in English | Original Title (BG) | Web Link |
|---|--|--|
| Law on Asylum and Refugees (LAR) <i>Amended by:</i> Law amending the Law on Asylum and Refugees, № 101/2015 of 11 December 2015, № 33 of 26 April 2016, №97 of 6 December 2016, №101 of 20 December 2016, №103 of 27 December 2016 | Закон за убежището и бежанците Закон за изменение и допълнение на Закона за убежището и бежанците | http://bit.ly/1RklHor (EN) http://bit.ly/2k8slq7 (BG) |
| Law on Aliens in the Republic of Bulgaria (LARB) <i>Amended by:</i> Law amending the Law on Aliens in the republic of Bulgaria, № 97/2016 of 2 December 2016, № 101 of 20 December 2016, № 103 of 27 December 2016, № 97 of 5 December 2017, № 14 of 13 February 2018, № 24 of 16 March 2018, № 56 of 6 July 2018, № 77 of 18 September 2018 | Закон за чужденците в Република България Закон за изменение и допълнение на Закона за чужденците в Република България | http://bit.ly/2jpEaqx (BG) http://bit.ly/2kJoYpi (BG) http://bit.ly/2fbU4Au (BG) |

Main implementing decrees and administrative guidelines and regulations relevant to asylum procedures, reception conditions, detention and content of protection

| Title in English | Original Title (BG) | Abbreviation | Web Link |
|---|--|------------------|--|
| Regulations on the implementation of the Law on Aliens in the Republic of Bulgaria <i>Amended by:</i> CoM № 129 of 5 July 2018 | Правилник за приложение на Закона за чужденците в Република България (ППЗЧРБ) | LARB Regulations | http://bit.ly/2DpJHHK (BG) |
| Ordinance № 332 of 28 December 2008 for the responsibilities and coordination among the state agencies, implementing Council Regulation (EC) No 343/2003 establishing the criteria and mechanisms for | Наредба приета с ПМС №332 от 28.12.2008 за отговорността и координацията на държавните органи, осъществяващи действия по прилагането на Регламент (ЕО) № | ORD332/08 | http://bit.ly/1IJ1CI5 (BG) |

| | | | |
|--|---|--|--|
| <p>determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national, Commission Regulation (EC) No 1560/2003 of 2 September 2003 laying down detailed rules for the application of Council Regulation (EC) No 343/2003, Council Regulation No 2725/2000 concerning the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of the Dublin Convention and Council Regulation (EC) No 407/2002 of 28 February 2002 laying down certain rules to implement Regulation (EC) No 2725/2000</p> | <p>343/2003 на Съвета от 18 февруари 2003 г. за установяване на критерии и механизми за определяне на държава членка, компетентна за разглеждането на молба за убежище, която е подадена в една от държавите членки от гражданин на трета страна, Регламент (ЕО) № 1560/2003 на Комисията от 2 септември 2003г. за определяне условията за прилагане на Регламент (ЕО) № 343/2003 на Съвета за установяване на критерии и механизми за определяне на държавата членка, която е компетентна за разглеждането на молба за убежище, която е подадена в една от държавите членки от гражданин на трета страна, Регламент (ЕО) № 2725/2000 на Съвета от 11 декември 2000г. за създаване на система "ЕВРОДАК" за сравняване на дактилоскопични отпечатьци с оглед ефективното прилагане на Дъблинската конвенция и Регламент (ЕО) № 407/2002 на Съвета от 28 февруари 2002 г. за определяне на някои условия за прилагането на Регламент (ЕО) № 2725/2000 относно създаването на системата "ЕВРОДАК" за сравняване на дактилоскопични отпечатьци с оглед ефективното прилагане на Дъблинската конвенция</p> | | |
|--|---|--|--|

| | | | |
|--|---|-----------------------|--|
| Ordinance № I-13 of 29 January 2004 on the rules for administrative detention of aliens and the functioning of the premises for aliens' temporary accommodation | Наредба № I-13 от 29 януари 2004 за реда за временно настаняване на чужденци, за организацията и дейността на специалните домове за временно настаняване на чужденци | ORD1-13/04 | http://bit.ly/2k37Dbd (BG) |
| Ordinance № 208 of 12 August 2016 on rules and conditions to conclude, implement and cease integration agreements with foreigners granted asylum or international protection | Постановление № 208 от 12 август 2016 г. за приемане на Наредба за условията и реда за сключване, изпълнение и прекратяване на споразумение за интеграция на чужденци с предоставено убежище или международна закрила | Integration Ordinance | http://bit.ly/2jtVsTE (BG) |

According to the Child Protection Act UASC are to be regarded as '*children at risk*' under any circumstances and as such, they are entitled to exactly the same protection and support measures as any other child at risk in Bulgaria.

It is important to note that protection measures under the law can only be applied to children whose residence status has been legalised.

Since 2014, a debate has been opened to develop and adopt a Coordination Mechanism for interaction between institutions at national and local level for dealing with cases of unaccompanied refugee children residing in the Republic of Bulgaria, including those seeking or receiving international protection. The purpose of the document is to synchronise actions between institutions to respect children's rights. So far, however, such a text still does not exist.

1.4 Reception of UASC in Bulgaria

1.4.1 Reception and placement

According to the Bulgarian legislation, a minor or juvenile foreigner who is on the territory of the Republic of Bulgaria and is not together with his or her parent/s or other adult/s, who is responsible for him/her under the law or custom (LARB Regulations) is unaccompanied. The law does not provide for a special procedure for the registration of an unaccompanied child seeking protection. When the child is registered, there is an interpreter and a social worker from the reception centre, as the employee conducting the registration records the indicated age data communicated by the child. In very rare cases, medical expertise is used to determine age.

By law, UASC are accommodated in (1) a family of relatives or close relatives, a reception family, a social service of a resident type or a specialised institution under the terms and

conditions of the Child Protection Act; or (2) other accommodation facilities with special facilities for children. When determining the place of accommodation of an unaccompanied child, his or her opinion shall be taken into account. As far as possible, brothers and sisters are accommodated together.

Almost in all cases, unaccompanied children and/or separated children are accommodated in some of the centres that are run by SAR that meet the requirements of the law and are defined as "other places of accommodation with special conditions for children and underage persons of concern".

IOM Bulgaria received AMIF emergency funding to build safe zones for unaccompanied children in *Ovcha Kupel* and *Voenna Rampa* shelters in Sofia, which had to be ready in June 2018. These two shelters have been allocated by the SAR to accommodate, respectively, unaccompanied children below the age of 14 in *Ovcha Kupel*, and adolescent unaccompanied children in *Voenna Rampa*. However, none of the two foreseen safe zones were ready or functioning as of the end of 2018. And while the safe zone in *Voenna Rampa* shelter may be delayed, but on the way and expected to start operation, nothing is yet done in *Ovcha Kupel* shelter, where all young children below the age of 14 are and will continue to be accommodated. Thus, in 2019 many UASC continued to be accommodated in mixed dormitories and, in the majority of the cases, in rooms with unrelated adults.

These reception centres – with their poor conditions of living, specific organization, and particular risks – are not a place for children. Children were routinely denied adequate access to legal representation, translation, health services and psychosocial support. Despite the efforts of social workers, they themselves report that they cannot provide a safe and secure environment for unaccompanied children. Employees working in the centres and children themselves have almost no means of protection when encountering trafficking groups and smugglers. It is a common opinion that the children adhere to the orders of traffickers and/or informal group leaders.¹¹

Basic education was not available in the centres and most children were not enrolled in local schools. Limited social and educational activities were available several days a week and organised exclusively by NGOs and humanitarian organisations. According to SAR data from 2018, only 7 unaccompanied child refugees were enrolled in school. There are no opportunities for vocational education and acquisition of a profession for 16-17 young people as provided in other EU countries, which they might need.

1.4.2 Guardianship

According to the law, an unaccompanied child seeking or receiving international protection who is on the territory of Bulgaria is appointed a representative from the municipal administration, designated by the mayor of the municipality or by an official authorised by him.

¹¹ Thematic paper of the Ombudsperson of the Republic of Bulgaria on the conditions of living of unaccompanied asylum-seeking children in Bulgaria. (2019), Available at: <https://www.ombudsman.bg/pictures/Doklad%20nepridrujeni%20detca,%20bejantci.pdf> [accessed 27 March 2019].

The representative has the following powers and duties in proceedings under this Act until the child or young person reaches the age of majority:

- To take care of his/her legal interests in the procedures for granting international protection until their conclusion by an enforced decision;
- Represent him/her before all administrative bodies, including social, health, education and other institutions in the Republic of Bulgaria, in order to protect the best interests of the child;
- To act as a procedural representative in all proceedings before the administrative authorities;
- Take action to provide legal assistance.

In practice, however, there is a lack of clarity on the functions and role of the legal representative as to what constitutes the specific assistance to the unaccompanied person outside the listed administrative commitments. Any person working for the municipality could be charged with the functions of a representative (too often, representatives of UASC include employees of municipal administrations who act as couriers or drivers).¹² With this situation, it is no surprise that the children and their representatives do not communicate, they do not meet, and frequently they both have not even seen each other.

In September 2018, the National Assembly adopted, in the first reading, amendments to the Law on Foreigners. They included an obligation to provide legal representation for all unaccompanied children and to increase the authority of the local Social Assistance Directorates (part of the ASA) in all proceedings involving unaccompanied children who had not applied for international protection. The amendments, however, proposed repealing the requirement for an individual assessment of the best interests of the child before placing children in short-term immigration detention. Human rights organisations warned that the proposals would legitimise the practice of "attaching" unaccompanied children to often unrelated adults travelling in the same group in order to avoid the prohibition of detention of children.

The general attitude is that any measures to be taken against unaccompanied children seeking international protection cannot be implemented and would not be effective because children do not recognise the country as their final destination but rather perceive it as a means to make their way to Western Europe. That is why they often run away from the reception centres and are extremely difficult to work with.

¹² *Ibid.*

1.5 General framework of the provision of foster care in Bulgaria

The provision of foster care as a social service in Bulgaria is mandated to the municipalities. Foster care placements, however, are legislatively regarded as a child protection measure in the hands of the child protection units functioning as local branches of the national authority Agency for Social Assistance (ASA) – the Social Assistance Directorates. As a protection measure, foster care placement is recommended as a priority option for any child temporarily or permanently deprived of parental care (with regard to UASC, too).

In 2019, foster care in Bulgaria is only developed within a project funded by the European Structural Funds as a special measure for the deinstitutionalisation of childcare in the country. This means that the functioning of foster care is now fully secured with EU funds with perspectives for development in the next few years.

There are no uniform national standards (including financial) that define the parameters and the value of one child accommodation in foster care. In practice, foster care management is centralised and is in the hands of the state, managing the project and allocating funds, and again through the project delegating the delivery of the service to municipalities that are not in a position to make decisions.

Foster care has been regulated in the Bulgarian legislation for 19 years only. The scope of service has been extremely small until the start of European projects in 2010. Then, the number of foster families increased dramatically from around 200 in 2010 to 2,136 in early 2019. Of these, 2130 are professional (meaning foster parents receive pay to care for children) and only 6 are voluntary.

The extended target group of the national foster care project in 2015 includes new-borns, disabled children and UASC. According to the official statistics of the ASA, 4 UASC altogether were placed in foster care in 2017 and none of the children seeking international protection received this kind of social support in 2018.

There are currently just 6 professional reception families available which allows for placement of unaccompanied children in a family if the need arises.

1.6 Foster Care UASC

Both adults and children who have already been granted refugee status or subsidiary protection in Bulgaria have the right to social assistance and access to social services (in accordance with the Social Assistance Act) in the way in which they are provided to the citizens of the country. Unaccompanied children who have been granted international protection have the right to live in social services in the community: both in foster care and in resident-type services (e.g. family-type accommodation, temporary accommodation centre, crisis centres, etc.). For this to happen, it is necessary for the local Social Assistance Directorates to conduct an individual assessment of the best interests of the child as well as to prepare a report for accommodation in a reception family or residential service. The evaluation and the report are sent to the respective Social Assistance Directorates in the area where the reception family or service is located, who in turn issue an order for accommodation.

The social workers from the Social Assistance Directorate who carried out the assessment first seeks suitable reception families in coordination with the local municipal foster care team. If no suitable reception family is found in the region, the child can be placed anywhere in the country. Jurisdiction to post-placement control is "passed on" to the other Social Assistance Directorate

This is presumably the procedure to be followed for all children at risk, including UASC. In practice, however, the access of children to social services is extremely difficult for several main reasons:

- local Social Assistance Directorates often do not have the capacity to assess the cases and the best interest of the child seeking international protection, nor to work effectively with reception families and social services for their placement and care;
- social services incl. registered foster families to serve as reception families are generally reluctant to accept UASC;
- there is a lack of coordination between the institutions and bodies working on the cases of refugee children, and there is often a tangible tension between them;
- representation (guardianship) is ineffective and in no way useful in terms of providing support for children;
- children are of the age at which they often express unambiguously their determination to not be accommodated in families or services.

This explains why no placement of UASC in reception families was completed in 2018. Additionally, only 26 UASC were housed in resident-type social services or specialised childcare institutions. In effect, UASC in Bulgaria receive support almost entirely from NGOs in the framework of project activities and volunteer initiatives that take place in the reception centres.

1.7 Promising practices

In the context of the situation described, it is difficult to talk about promising Bulgarian practices. Accommodation in social services is a great challenge for teams, other children and the community, and is rather considered to be unsuccessful. This is evidenced by the fact that even social services that have agreed to accept children seeking international protection for a short period rarely agree to try again. This leads to severe situations in which one SAD receives more than 100 denials of social care services only on the occasion of a single unaccompanied child seeking international protection, aged 14.

When it comes to good practice, however, there was a case in which a Syrian girl is placed in a reception family at the age of four. Placement was preceded by administrative struggles and only a few weeks later the child was taken by her uncle in Germany. In this case, the process of preparing for accommodation took 2 months and the accommodation itself lasted for 3 weeks. However, reception families perceived this experience as very enriching because they have been confronted with the child's cultural characteristics. It also made them and the social workers who supported them aware that they were not prepared for dealing with a different culture.

No previous attempts were made to place UASC in ethnic families.

1.8 Challenges

According to the widely accepted understanding in Bulgaria, children over the age of 14 have no place in foster care. That is why even Bulgarian teenagers are hardly accommodated in reception families. This coincides with the profile of children seeking international protection in Bulgaria. Different ethnic origins and religious peculiarities make it difficult for the placement and demotivate foster parents.

Social workers in the Social Assistance Directorates relatively often choose not to start child protection cases for UASC even after clearing the refugee status for two reasons: (1) young people do not want to be subjected to the child protection system and openly declare it; and (2) the responsibility for these young people is complex because the social services cannot provide them with support - interpreters, resources, accommodation, and additional support.

Although there is a debate at national level on the coordinated implementation of UASC protection measures, there is still no single co-ordination mechanism to define the roles of all parties involved. Therefore, responsibilities and functions are unclear and often transferred between different laws.

In Bulgaria there are international institutions for protection and support of refugees but the pressure they exert on the state institutions, however, is not strong enough to change the status quo.

UASC are simply treated as foreigners in Bulgaria for whom certain administrative procedures need to be implemented, and not as children who are victims of conflict, violence and serious risks of abuse.

2. RECRUITING FOSTER FAMILIES

2.1 How to recruit

Parents in Bulgaria are recruited through information campaigns most often at the municipality level. They are run by social workers employed under the national foster care project. However, the project does not have any dedicated funding for these campaigns, there are no standards for their implementation, or unified approaches and messages.

Campaigns use local media which is working efficiently. Another effective method for recruiting new reception families are individual information meetings. Not effective is the recruitment of candidates through the labour offices (i.e. through employment agencies) as well as the organisation of information meetings for potential candidates, who are previously clear that they have stereotyped concepts regarding a particular group of children (e.g. child victims of violence or children from different ethnic backgrounds).

Candidates for reception families are mostly motivated by the remuneration they would receive. For this reason, in Sofia, where the highest standard of living for the country has the lowest number of families, and vice versa, in small settlements where employment opportunities are often lacking, the number of reception families is high.

The other motivation is the desire of the families to help children abandoned by their parents, who are often perceived by the former as small, without disabilities, and of Bulgarian ethnic origin. Such is the established attitude to the child's foster care profile, which is supported by the various actors on the political arena.

In this context, the National Foster Care Association's thematic campaign, developed and delivered under an EU funded project in 2019, was received as something positive and extremely necessary because it sets standards and communication messages.

2.2 Which families to recruit

The resource of ethnic families in Bulgaria is not used. Social workers do not have the skills and knowledge to assess the risk of placing a child in an ethnic family (e.g. they cannot determine whether behaviour is a sign of abuse or just a normal element of the child's and family's cultural identity). It remains to rely on family's own responsibility, which is often a risk that social workers do not want to take.

On the other hand, nearly 70% of all children in foster care currently belong to the Roma ethnic group. The environment that these children are living in is often considered "harmful" and their biological parents are seen as "failed parents" by the child protection services, so the children are removed from their homes and placed in foster care in order to be safeguarded. Most of these children are in fact overlooked, malnourished and generally neglected. Those of them who have never been to kindergarten or school do not speak Bulgarian and often have social issues. Nevertheless, ethnic Bulgarian foster parents are open to these children at least for two important reasons. First, because they believe they are able to "fix" children's state of neglect and language delay by providing proper care and a loving home especially when the children are still very young. Second, Bulgarians are quite familiar (though not always accepting) with the Roma people's way of living, traditions and problems as Bulgarians and Roma have been living together as neighbours for decades.

There are no statistics on how many reception families of Roma ethnic origin there are because the collection of such information is perceived as a form of discrimination. Of the cases of Roma foster parents that the National Foster Care Association (NFCA) knows and is working with, it is evident that only Roma children are accommodated. There are areas in the country, among which Haskovo and Sliven, where the families are predominantly Roma, and so are the children, respectively.

A non-representative NFCA survey about the attitudes of foster families of the Bulgarian ethnicity shows that they would take care of UASC, but if the children are under the age of 5, they have no disabilities, and the foster parents can rely on adequate support from a community service network, translators when needed, etc. For parents, it is also important to gain public recognition of their gesture.

In this sense, effective messages are those stimulating sympathy for children who have experienced wars and trafficking, especially if they are young and unprotected.

3. SCREENING FAMILIES

The family assessment procedure for accommodation is similar to that described in ALFACA. It includes:

- assessment of motivation and attitudes;
- resource assessment as a family;
- assessment of traumas and styles of parenting as well as parental experience;
- assessment of the physical environment and material conditions in which the family lives;
- assessment of the supporting network.

When applying the UASC procedure, it is also important to assess the attitudes towards the cultural, linguistic, religious and ethnic characteristics of children in the evaluation process. This is currently the case for Roma children. Very often in Bulgaria it turns out that families are inappropriate for Roma children just by this indicator and the selection is stopped at this stage.

The ALFACA toolkit is fully applicable to the Bulgarian reality both at the selection stage and in the evaluation and follow-up of the accommodation. However, it is simply impossible to apply it to ethnic families, which, however, is a key point in the methodology.

The other inappropriate thing about the model is that guardians cannot be involved in childcare, including legal protection measures from a single committed organisation and other related institutions.

4. MATCHING AND PLACEMENT

4.1 Matching

Matching between reception parents and children in Bulgaria takes place in a formal environment on the territory of the Social Assistance Directorate under the supervision of a social worker. There are no uniform standards and tools to judge whether a fit is good or not. The external factors in the situation (such as whether the child is ill or under stress) are not taken into account. The procedure requires up to 5 match times between the child and the family. In case of urgency (e.g., the child is a victim of violence), the accommodation can be up to 24 hours, but there are generally no such placements in Bulgaria.

The ALFACA toolkit is suitable for use but needs to be validated in the Bulgarian context. Only then could it be included in the Bulgarian standards for the provision of foster care service.

The assessment of whether the matching is made in a secure way is done by a social worker. In case of a language barrier, social workers rely on the ability of reception families to make a bond with the child, as interpreters are not provided.

In the above-mentioned case of the Syrian child who did not speak Bulgarian and was young, a playful connection between the family and the child and observations of positive non-verbal communication played a role in making it clear that the child and the reception family matched.

4.2 Placement

Even if the child is to be placed under an administrative order, it is necessary to specify its legal status, i.e. the granting of international protection in Bulgaria. The procedure for clarifying this specific status lasts about 6 months, and sometimes even a year.

In the case of a clarified status, the accommodation is ordered for by administrative order (given that the child must be provided immediate protection measures), and this order is confirmed by a court formation, several months after the placement. This often prolongs the stay of children in reception families. There are few cases in which the Court revokes the accommodation order and cancels the placement in a reception family by accommodating the child in a resident service or by returning him/her to the camp.

Thus, this administrative measure for foster care lasts for too long without a firm judgment. During this period there is a legal vacuum with respect to the legal status of the child.