GUIDE
Supporting Guardians of Unaccompanied Children

GUIDE: Supporting Guardians of Unaccompanied Children

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Assessment of national capacity on the types of support provided to guardians of unaccompanied migrant children – Report

Bulgaria

D4.1

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In memory of Mr Khalil Cambron (Eurochild), whose work and dedication greatly contributed to the creation of this report. Khalil led the early stages of research, bringing valuable insight to the process. He also developed key methodological tools and contributed to shaping the project's training content. His commitment to children's rights and inclusive policy development remains an inspiration.

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Executive summary

Part I of the current report provides an overview of the general framework in Bulgaria. Bulgaria has a legal framework that guarantees the rights of unaccompanied children: the Coordination Mechanism for Interaction Between Institutions and Organisations in Cases of Unaccompanied Children or Foreign Children Separated from Their Families, located on the Territory of the Republic of Bulgaria, Including Children Seeking and/or Having Received International Protection, is functioning since 2022. However, a key limitation remains: the Mechanism is not incorporated into a normative act, nor has it been formally endorsed by all relevant institutions.

According to the Act on Asylum and Refugees, there are two types of protection that can be granted to unaccompanied children – **international protection** and **temporary protection** (for children from Ukraine).

When we talk about international protection, **a lawyer** registered in **the Legal Aid Register of the National Bureau of Legal Aid is appointed as legal representative** and a child is represented in the proceedings by him.

Part II of this report presents the different options of support for children in Bulgaria.

Unaccompanied children who want to apply for international protection are accommodated in the structures of the State Agency for Refugees, called Safe Zones. They are part of the structure of the Centres for Registration and Reception of Refugees. After the termination of the procedure (granted or refused protection), children are referred to different social services under the Child Protection Act.

In the national legislation, there is no special focus on children **with disabilities, nor an official statistic on the cases of unaccompanied asylum-seeking children (UASC) who have some form of disability.**

This Part also presents the specifics of guardianship modalities and regulations made by international conventions, EU law and national legislation.

Another key aspect of this Part is the role of NGOs, which role is crucial.

Key aspects in **Part III** are related to:

- The lack of integration protocols or plans developed for unaccompanied children with disabilities;
- The lack of sufficient budget;
- The improvement of the material base;
- The traceability of children who leave the Safe Zones;
- The need for specification and delineation of the responsibilities of the child's legal guardians;
- The gaps in the system;

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- General recommendations and learned lessons.

Methodology

This report is an assessment of the capacity of Bulgaria on the types of support provided to guardians of unaccompanied migrant children, developed by the National Network for Children. The report aims to focus on unaccompanied children with disabilities and their guardians while assessing the services available for them. It was produced in the framework of the GUIDE project, a project that develops a transnational action to strengthen the capacity of national guardianship systems and the support available for, competencies and visibility of guardians. The project is implemented in 5 countries, namely: Bulgaria, Greece, Slovakia, Italy and Poland.

The report builds on previous research and reports conducted in the framework of the GUIDE project, in particular, the capacity data analysis, implemented as a need assessment and situational analysis, which supported the development and implementation of the training program and workshop for guardians. The capacity data analysis included an overview of the general context and legislative framework related to unaccompanied migrant children with disability, of the guardianship of unaccompanied migrant children with disability in the social sector and an evaluation of future trends and challenges.

This report is based on literature reviews, 14 extensive interviews, and 4 focus group discussions (FGDs) with multiple stakeholders, particularly children and guardians, as well as guardianship system personnel from both state and civil society organisations that provide services for unaccompanied children in each country, with a focus on unaccompanied children with disabilities. It includes an overview of the legal and policy frameworks related to the guardianship modalities and roles of guardians, a description of the state of play of services available for guardians and a qualitative analysis of those services.

This report and other project outputs build on a framework document developed at the GUIDE project inception, which guides partners' work on the project. It shares several components with contemporary approaches to Early Childhood Interventions, such as Bronfenbrenner's socio-ecological model, an empowering and participative definition of children and disability, evidence-based support that is early, holistic, and continuous, and assessments and case management planning through transdisciplinary teams. It employs a systemic approach using the integrated child protection systems model.

The purpose of this report is to map existing guardianship system components and functions across the country, map the existing services provided to guardians and carers of unaccompanied migrant children and assess their availability, accessibility and efficiency. It aims to identify key gaps and challenges and provides initial recommendations for enhancing the guardianship system, especially in terms of supporting both guardians and children with disabilities, to ensure sustainable and effective outcomes. Following the assessment, roundtables will be organised in Bulgaria with stakeholders, public authorities and guardians, to discuss the findings of the assessment and identify recommendations related to the gaps, challenges and best practices about national guardianship systems for unaccompanied minors. Assessment findings

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will be presented and analysed with the aim of creating a list of actionable recommendations on safe and appropriate guardianship for children with disabilities.

The target audience of the report includes project stakeholders, guardians, local organisations, local and national authorities, and the children for whom we all have a responsibility. It also targets EU project funders and the broader community of donors, policymakers, and practitioners related to the subject matter.

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Part I. Overview of policy and legislative frameworks related to guardianship for unaccompanied migrant children

International conventions, EU legislation and national laws

In Bulgaria, the **protection of unaccompanied minors is regulated by international conventions, EU legislation and national laws:**

- UN Convention on the Rights of the Child (UNCRC);
- UN Convention Relating to the Status of Refugees;
- UN Protocol Relating to the Status of Refugees;
- Hague Convention on Jurisdiction, the Applicable Law, Recognition, Enforcement and Cooperation in Relation to Parental Responsibility and Measures for the Protection of Children;
- Charter of Fundamental Rights of the European Union;
- Regulation (EU) No 604/2013 of the European Parliament and of the Council Establishing the Criteria and Mechanisms for Determining the Member State Responsible for Examining an Application for International Protection Lodged in One of the Member States by a Third-Country National or a Stateless Person;
- Council Regulation 2019/1111 on Jurisdiction, Recognition and Enforcement of Judgments in Matrimonial Matters and Matters relating to Parental Responsibility and on International Child Abduction;
- Directive 2001/55/EC on Minimum Standards for giving Temporary Protection in the Event of a Mass Influx of Displaced Persons and on Measures Promoting a Balance of Efforts between Member States in Receiving Such Persons and Bearing the Consequences Thereof;
- Directive 2004/83/EC on Minimum Standards for the Qualification and Status of Third-Country Nationals and Stateless Persons as Refugees or as Persons Who Otherwise Need International Protection and the Content of the Protection Granted;
- Directive 2005/85/EC on Minimum Standards on Procedures in Member States for Granting and Withdrawing Refugee Status;
- Directive 2011/95/EU on Standards for the Qualification of Third-Country Nationals or Stateless Persons as Beneficiaries of International Protection, for a Uniform Status for Refugees or for Persons Eligible for Subsidiary Protection, and for the Content of the Protection Granted;
- Directive 2013/32/EU on Common Procedures for Granting and Withdrawing International Protection;
- Directive 2013/33/EU on Laying Down Standards for the Reception of Applicants for International Protection;
- Decision (EU) 2022/382 adopted by the Council of the EU;

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- Act on Asylum and Refugees;
- Child Protection Act; Act on Foreigners in the Republic of Bulgaria;
- Act on Civil Registration;
- Act on Social Services;
- Act on Health;
- Act on Health Insurance;
- Ordinance on the Responsibility and Coordination of State Bodies Carrying Out Actions on Administrative Cooperation in the Implementation of the Dublin Regulation and the Eurodac Regulation;
- Regulations for the implementation of the Child Protection Act;
- Regulations for the implementation of the Act on Foreigners in the Republic of Bulgaria;
- Instruction for Non-Invasive Age Determination of Unaccompanied Refugee Children.

The national procedures for unaccompanied migrant children coming from other countries

In Bulgaria, the protection of unaccompanied minors is regulated through international conventions, EU law and national legislation.

The Coordination Mechanism for Interaction Between Institutions and Organizations in Cases of Unaccompanied Children or Foreign Children Separated from Their Families, Located on the Territory of the Republic of Bulgaria, Including Children Seeking and/or Having Received International Protection, which was developed by the Bulgarian State Agency for Child Protection and relevant stakeholders, has been functioning since 2022. Unfortunately, this Mechanism is not incorporated into any normative act, and is not even signed by all involved parties, which renders it non-binding and prevents its utmost implementation.

According to the Act on Asylum and Refugees, there are two types of protection that can be granted to unaccompanied children – as stipulated in Article 1a, the Republic of Bulgaria grants **international protection** and **temporary protection** in accordance with the cited act. Art. 2 provides that international protection is granted by virtue of the Convention Relating to the Status of Refugees, drawn up in Geneva on July 28, 1951, and the Protocol Relating to the Status of Refugees of 1967, ratified by law, to international acts for the protection of human rights, and includes refugee status and humanitarian status. **Temporary protection** is granted in the event of a mass influx of foreigners who are forced to leave their origin country due to an armed conflict, civil war, foreign aggression, violation of human rights or large-scale violence on the territory of the respective country or in a separate area from it and who cannot for these reasons return there back.

When a child is identified by the authorities of the Ministry of Internal Affairs, they ought **to react within 24 hours**. Pursuant to the Act on Asylum and Refugees, the foreigner is accommodated in a transit Registration and Reception Centre or another place of shelter by the State Agency for Refugees

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following an assessment of its individual state of health, family and financial situation under conditions and according to the Order enacted by the Chairperson of the State Agency for Refugees. During the medical examination, it is established whether the foreigner seeking international protection belongs to a vulnerable group and whether they have special needs.

The legislative adaptations related to the war in Ukraine

When the case concerns **unaccompanied refugee children from Ukraine,** they are granted **temporary protection**. This right is further granted to persons with foreign citizenship or statelessness who left the territory of Ukraine as a result of the hostilities and entered and remained on the territory of the Republic of Bulgaria, should they explicitly state that they wish to enjoy the status of temporary protection.

The guardianship system organisation

When the case concerns children from third countries (Iran, Iraq, Syria, Afghanistan, etc.), they can express a **request for international protection.** Then the children are referred to the State Agency for Refugees and handed over to the Agency's employees through a reception-handover protocol. Subsequently, the children are accommodated in the so-called Safe Areas (There are three Safe Zones for accommodation operating on the territory of the country – in the Military Ramp Registration and Reception Centre for Refugees, in the Ovcha Kupel Registration and Reception Centre, and the Harmanli Registration and Reception Centre) for the duration of the procedure for international protection. The children are **appointed a lawyer as legal representative** (Article 25 of the Act on Asylum and Refugees). An unaccompanied minor or minor foreigner seeking or receiving international protection is represented in the proceedings by a lawyer registered in **the Legal Aid Register of the National Bureau of Legal Aid.** In the course of this proceeding, an interview is held at the State Agency for Refugees, where there is also a representative of the Child Protection Department. In the interview, it is important to describe in detail the reasons why international protection is sought, as well as relevant information related to the applicant (his/her history, his/her path to Bulgaria, future plans). The full list of questions that are asked during the interview are not publicly available.

After receiving international protection and in case there are vacancies in social services, the child is placed in a form of social service, and **their representative becomes the director of the relevant social service.** This is regulated by **the Family Code**, pursuant to which there are two forms of guardians – a guardian for minors up to 14 years of age, and another guardian category for children between the ages of 14 and 18.

In cases where the unaccompanied minor does not request international protection, the relevant local Directorate for Social Assistance is involved, and **a form of social service** is sought out and provided. In such cases, the Act on Foreigners in the Republic of Bulgaria applies that unaccompanied UASC are **represented by the Social Assistance Directorate at their place of temporary residence.** A leading principle is to provide support within a family environment, and in the case of placement outside the family, the usual order of protection measures for children at risk is observed – namely accommodation in a family of relatives, in a foster family and a placement in a social or integrated healthcare-social service for residential care.

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Children with disabilities

From the data obtained from the interviews conducted under the GUIDE Project, it can be discerned that **there are rarely UASCs who have some form of disability**, mainly due to the circumstance that they are not sent out to Bulgaria by their parents in such cases. In fact, often physical traumas occur on the children's way to Bulgaria, leading to, for instance, frostbite and limb injuries. According to the information obtained from representatives of non-governmental organisations, a case-by-case approach is being utilised, with a proactive role predominantly on behalf of the civil society sector. In cases of children with disabilities, on the grounds of the Health Act and the Health Insurance Act, in connection with the Child Protection Act, assistance is sought out by NGOs from a personal physician, with whom the child ought to be registered through the assistance of their appointed legal representative.

Children with disabilities are treated in the same way as children without, in terms of the legal representative and protection options that are provided. According to findings from the GUIDE Project research, each of the few such cases is addressed individually, based on its specific circumstances. There is no specific procedure that applies to UASCs with disabilities.

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Part II. State of play on services for guardians of unaccompanied migrant children

The State of play on services for unaccompanied children

Unaccompanied children who have neither parents nor relatives and apply for international protection are directed to the structures of the State Agency for Refugees, namely the so-called Safe Zones (mentioned above), which are intended for children and are part of the structure of the Centres for Registration and Reception of Refugees. There ought to be on-site **social workers in the Safe Zones** to respond in case of any need on the part of an accommodated child.

After international protection is granted or when this procedure is refused, children are referred to some form of **social service** within the meaning of the Child Protection Act. UASC can receive support within a family environment. There are several options, such as accommodation in a family of relatives, in a foster care, accommodation in a social or integrated healthcare-social service, residential type of care. The most frequently used services include placement in a centre for children or with a foster family. The social services, as regulated in Art. 15 of the Bulgarian Social Services Act, include the following activities: informing and consulting; advocacy and mediation; community work; therapy and rehabilitation; training for acquiring skills; support for acquiring work skills; day care; residential care; provision of shelter; assistant support. Refugee children at risk have the right to use all other options of social services for children.

There is no special focus on unaccompanied migrant children **with disabilities.** Bulgaria continues to maintain **no official statistics whatsoever on the cases of UASC who have some form of disability**. According to data from representatives of non-governmental organisations, a case-by-case approach is being utilised, with a proactive role predominantly on behalf of the civil sector.

The Integration and Education Centre works with a lot of children, providing extracurricular activities, interest activities, individual counselling and therapeutic assistance. The experts work with **Ukrainian children with special educational needs**, and there are also psychologists and physiotherapists. Most of the children from Ukraine attend school, for which the Ministry of Education and Science and the Regional Department of Education in Sofia have created all the necessary conditions. The children show good adaptation mechanisms and easily fit into the Bulgarian social context.

It is a bit different with the children from other third countries, because their language isn't similar to Bulgaria's as in the case of Ukrainian children. There is a lack of interpreters, and it's hard for those children to adapt to the Bulgarian school system.

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The State of play on services for official representatives

In Bulgaria, **guardianship modalities** are as follows (also as mentioned above):

- Legal representative (lawyer from the National Bureau of Legal Aid under the Council of Ministers), appointed by the State Agency for Refugees to a child who can initiate a procedure for international protection.
- When a child is registered in a Registration and Reception Centre, the State Agency lodges a letter to the National Bureau of Legal Aid, a lawyer should come to the place and get to know the child, and prepare it for the interview with the Agency.
- After receiving international protection and in case there are vacancies in social services, the child is placed in a form of social service, and their representative becomes the director of the relevant social service.

Based on the interviews conducted under the GUIDE Project and the collected data from field specialists, there are identified **issues** concerning the representation and guardianship of unaccompanied minors, such as: after the brief introductory training of lawyers, there is **no subsequent periodic training** and no opportunities to exchange experience.

The lawyers are required in practice to be competent and to assist in all matters concerning children – socialisation, health insurance, emotional needs, educational integration, etc., and that could be very hard. Practically, they do not have special skills or a specific education for that. There needs to be specification and delineation of the powers and responsibilities of the children's legal representatives.

Special needs of children with disabilities

As we mentioned above, there are no specific procedures for UASCs with disabilities, different from the standard procedures. States Parties should actively provide more training to all staff who come into contact with children with disabilities. This is essential for the reinforcement of the system. The training should focus on methods for working with children who are unaccompanied and with disabilities (notably interdisciplinary case management). Additional training of psychologists, periodic training for lawyers, as well as resource support for social workers, are really needed.

The implementation of the services

The key institutions that participate in this process are the State Agency for child protection, the State Agency for Refugees, the Ministry of Labour and Social Policy with its structure Agency for Social assistance, but because of the complicity of the manner, all institutions take part in the process (such as the Ministry of Health, the Ministry of internal Affaires).

The Order of the Minister of Labour and Social Policy approved a Coordination Mechanism for interaction between institutions and organisations in cases of unaccompanied children or foreign children separated from their families, located on the territory of the Republic of Bulgaria, including children seeking and/or receiving international or temporary protection. At present, this mechanism has not been

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officially signed by all state bodies, and responsibilities have been delegated to them in practice. The question remains how the rights of these children should be guaranteed and secured. Given that the document has not been signed by all responsible institutions, the Mechanism is practically not convened, and there is no official data on how it is being worked on.

A list of services is provided to unaccompanied migrant children, and those are thoroughly described in the **National Map of Service providers**. The services cover all the potential needs of the children, and these are provided by state institutions, international organisations and local NGOs. There are still some gaps when talking about healthcare, psychological support and leisure and free time, but these are identified and worked on.

A worrying trend continues to be the lack of a unified database on unaccompanied children, which systematically collects data on a variety of indicators. To date, there is still no information on the average stay of unaccompanied children placed in the State Agency for Refugees Centres. Accurate data on escapes from the centres and various social services are also not available. There are no statistics on the number of unaccompanied minors who needed medical assistance. A special register of lawyers from the National Legal Aid Bureau is also not available. Moreover, there is no data on the number of minors with temporary protection who are not covered by the system of pre-school and school education, which concerns the urgent issue of their educational integration.

Cooperation with civil society

Civic organisations have a leading role regarding the support of unaccompanied children in Bulgaria.

A serious problem remains a language barrier – refugees from the Arab world do not speak Bulgarian, and the available interpreters in the Safe Zones are not engaged 24/7; in some of the institutions that work with unaccompanied children, there are no interpreters. There is a strong but insufficient support provided by NGOs. Some of them are Caritas, the Council of Refugee Women, IOM, and UNHCR.

NGOs, alongside the legal representatives, play a leading role in ensuring the well-being of refugee children. Some of the organisations working directly with children are the Bulgarian Red Cross, Caritas, Foundation "Mission Wings", Council of Refugee Women, UNHCR, UNICEF, Bulgarian Helsinki Committee. When it comes to health care services and activities for children in their leisure time, NGOs provide a **meaningful contribution to the well-being of children**, such as:

- Accommodation and meals;
- Bulgarian language classes;
- Comprehensive legal, social, and psychological support;
- Information sessions on rights and obligations, hygiene practices;
- Community meetings.

Bulgarian NGOs, in collaboration with international partners, have made significant efforts in improving the well-being of unaccompanied asylum-seeking children. Through the establishment of safe zones, provision of comprehensive support services, training programs, legal advocacy, and community

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engagement, they are creating a more supportive environment for these vulnerable children. However, continued efforts are necessary to address systemic challenges and ensure the protection and integration of this group of children in the country.

In Bulgaria, there are refugee children from Ukraine and **many cases of special educational needs**, who are cared for both in the educational system and through NGOs, which assist with Bulgarian language lessons and different courses, supporting sessions with psychologists.

NGOs in Bulgaria are very active in working with unaccompanied children. They work on project programs to provide various types of activities and forms of training. There is a so-called **Tripartite Memorandum of Understanding on the Conditions for Cooperation and Coordination in Support of Access to the Territory and the Procedure for Granting Protection**, from 2010, signed by UNHCR, the Bulgarian Helsinki Committee and the Head of the Border Police Directorate at the Ministry of Internal Affairs. This Memorandum defines the coordination and cooperation mechanisms for monitoring and support of persons seeking access to the territory and the procedures for granting international protection in the Republic of Bulgaria.

The **cultural mediation** is very important in the work with foreign families and children and is a leading part of the work of the NGOs. Intercultural mediation involves a set of activities that aim to reduce the negative effects of language barriers, social and cultural differences and tensions between ethnic groups and local professionals in relation to different aspects of social and community life through dialogue. Cultural mediation can be defined as the management of cultural differences during the provision of psychosocial support. It means that the intercultural mediator is alert to cultural concepts, beliefs and practices that may lead to misunderstanding and/or hinder the process of providing support. This means that the focus of the work of the intercultural mediator is to explain to the refugee or migrant the culture of the service provider, and conversely, to explain to the helping professional in the host country the particularities of the culture of the support seeker.

Advocacy is another part of NGO work. Advocacy is defined as speaking out or intervening in someone else's interests. Generally, it means that a third party will advocate for the refugee and their rights.

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Part III. Assessment: Qualitative analysis of the state of play

Main issues, gaps and lessons learnt related to the availability of guardianship modalities and support services for unaccompanied children

There are **no integration protocols or plans developed for unaccompanied children with disabilities and their guardians**. Each case is handled on a case-by-case basis.

There is no developed system of services specifically oriented towards unaccompanied children with disabilities or special needs. Nor are there sufficient social services offered to parents or accompanying adults who bear the trauma of the war.

The State could hardly cope with the work with unaccompanied children, if NGO were not available. The coordination between the involved institutions is not carried out in an effective way. According to the interviews done under the project, the State Agency for Refugees must be financed from the state budget, and not on a project basis (European funds). There is also a view that the Agency's employees function primarily as administrators, whilst the psychological needs of children are not taken into account.

According to the interviews done under the Project, some municipalities are more open to accepting refugee children than others. The main reasons for the "reluctance" to accept the children are the language barrier and the dominating cultural stereotypes. Social workers do not speak their language, and there are no resources available to hire an interpreter.

Another unresolved task is **better structuring or development of more specific modalities of UASC legal representation**, along with the active promotion and support of municipalities in opening services specifically oriented to unaccompanied children, including UASCs with disabilities.

Experts also stress the **vast amount of leisure time available to the children in the Safe Zones**, which stems from the State Agency for Refugees' lack of capacity and resources to engage them in educational, therapeutic, sports and recreational activities.

An **improvement of the material base** of the Registration and Reception Centres for Refugees (the Secure Zones) is necessary. The material conditions are inadequate, with issues such as bed bug infestations, poor quality repairs, overcrowding, and other deficiencies. There are **no official data on children with disabilities**, no special protocols and procedures for providing specialised care for unaccompanied children with disabilities. Provision of specialised foster care for children with disabilities is lacking. Every year, National Network for Children (NNC) prepares a monitoring report called "Report Card" with a special focus on the topic of "unaccompanied children". Also, every year, NNC as an organisation sends official letters to all involved institutions on the Act on access to public information. In this specific correspondence, we have the confirmation from the State Agency for Refugees that there is no official data on many indicators.

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UASCs face difficulties in accessing medical and dental support. There are issues with the deregistration from the system of personal physicians of persons who have already left, and thus, they continue to occupy places. Additional challenges stem from the circumstance that many physicians refuse to enrol children from other countries.

Often, **UASCs from the Third countries (apart from Ukraine - Ukrainian and Bulgarian are similar) do not want to attend classes.** These children are often illiterate in their own language, and the language barrier is a serious issue for them, as is the inability of our educational system to respond to the complex needs of such children.

According to the monitoring report of the National Network for Children – Report Card, there is a huge challenge concerning the **traceability of children who leave the Safe Zones.** A very large number of proceedings at the State Agency for Refugees on unaccompanied children have been terminated. A significant percentage of these children do not await the end of the procedure for granting international protection. No effective efforts are made to keep them within the territory of the country.

There is no information on how long a child stays in the centres of the State Agency for Refugees (average and maximum). There is no information on how many of the registered unaccompanied children have lost their lives as a result of an accident or an illegal attempt to cross into another country. There is a **lack of developed indicators to collect data on the number of UASC with disabilities and for long-term follow-up of their individual cases.**

Specialised social services for the rehabilitation, support and socialisation of children with disabilities remain necessary. The development of specialised foster care for children with disabilities is much needed.

An active integration program, encompassing various forms of transitional housing for refugees, is necessary, along with ongoing monitoring and continued support through social assistance, with the aim of achieving the refugees' fullest social, labour, economic, and cultural integration **after they come of age.**

Main issues, gaps and lessons learnt related to the support available for guardians

After the brief introductory training of lawyers engaged by the National Bureau of Legal Aid, there is no subsequent periodic training and no opportunities for exchanging experience with other specialists.

Many of the specialists who went through the national workshops in Bulgaria shared that there are not enough spaces for sharing difficulties in cases and for meeting colleagues to discuss the challenges in the work.

The lawyers, acting as official legal representatives of UASC, are required to be competent and to assist in all matters concerning the UASC – their socialisation, health insurance, emotional status and prevention of retraumatisation, educational integration. A recommendation derived from the interviews conducted in the framework of the GUIDE project is that there is a necessity for specially trained social workers who can accompany/assist the legal experts during the work with UASC. There needs to be **specification and delineation of the powers and responsibilities** of the child's legal guardians.

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A recommendation details that the funding for these lawyers must be higher. A large extent of work is presently carried out due to the individual motivation of people willing to help these children. The remoteness of the Safe Zones, the time it takes to get there, and the lack of sufficient financial support, in which the payment is practically linked to the interview before the State Agency for Refugees and the entry of the application for international protection, are presented as challenges. The commitments, such as finding a personal doctor, dentist, or school, are delegated in their entirety to specially trained social workers, and they can sometimes be challenging for the legal representatives.

Level of satisfaction

Against this background of these unresolved issues, it ought to be mentioned that the appointment of a lawyer is nonetheless a serious step forward in the provision of care to UASC in Bulgaria. Prior to the adoption of the current formulation of Art. 25, the children's representatives were municipal employees who had had no training and specialisation, and one employee was responsible for approximately 200-300 children, which greatly hampered the procedure.

According to the interviews, the Capacity data analysis and the pilot national workshops, there are some difficulties in the work of the guardians. As we mentioned above – specification and delineation of powers and responsibilities of the child's legal guardians; not enough financial resources; reliance is placed on the individual efforts of lawyers, despite the lack of sufficient time, the lack of expertise related to the psychological aspects of trauma, and the lack of sufficient financial support.

The satisfactory outcome

A **satisfactory outcome** related to the **procedural process of guardianship for unaccompanied children** typically refers to a process that ensures the **best interests of the child** (**the UN Convention on the Rights of the Child**) and national laws.

Key elements of a procedural outcome are: timely appointment of a guardian – a guardian is appointed **as soon as possible** after the child is identified as unaccompanied. The process must avoid delays that can leave the child unprotected or subject to harmful conditions.

Guardians must be selected and monitored by an **independent, impartial body**. They must be **qualified**, trained in child protection and rights, and free from conflicts of interest (e.g., not tied to immigration enforcement). That is something that should be considered in Bulgaria and taken into account.

The child must be **informed** in a child-friendly manner about their rights and the guardianship process, and have an opportunity to **express their views** and participate in decisions that affect them.

The legal process for appointing guardians should be **transparent, standardised,** and **codified** in national law. It includes **safeguards** to prevent arbitrary decisions and ensures accountability.

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There are **mechanisms to monitor** the guardian's performance and to **review or revoke** the guardianship if necessary. Children or their representatives can file complaints or request changes. In Bulgaria, a lot must be done regarding these two elements.

Several options have been established to support unaccompanied children. **Safe Zones** provide: accommodation; social, psychological, and legal support; medical assistance; interpretation and cultural mediation; educational activities; recreational and cultural programs. **Child Protection Services** under the Ministry of Labour and Social Policy provides: support during the process of searching for relatives or suitable foster families; temporary accommodation; allowances for children placed with relatives or in foster families; assistance for different needs.

Bulgaria has developed **Safe Zones** within its Reception and Registration Centres in Sofia (Voenna Rampa and Ovcha Kupel) and in Harmanli. These zones are designed to offer a secure environment where unaccompanied minors receive tailored care and support. Key services include: 24/7 care and case management; psychosocial and psychological support; legal assistance; medical care; educational Support; cultural Mediation.

In addition to Safe Zones, Bulgaria has introduced **protected housing services** for unaccompanied asylum-seeking minors. They provide: **accommodation and meals; language classes; legal, social, and psychological support**. The number of this type of protected housing must be larger in Bulgaria. There are cases where the community does not agree to have such services in the nearby area. For example, in Sofia (the capital of Bulgaria), significant efforts have been made to establish facilities for unaccompanied children seeking refuge. One notable initiative was the Sofia Municipal Council's decision in July 2024 to open a centre for unaccompanied refugee children in the old building housing the Knyazhevo borough mayor's office. However, this plan faced opposition from local residents, leading to protests in October 2024. Critics argued that the location was unsuitable and that there had been insufficient consultation with the community. In response, Sofia Mayor defended the initiative, emphasising the importance of providing shelter and protection to vulnerable children.

The level of satisfactory integration, assimilation, sense of belonging, and active citizenship for unaccompanied children in Bulgaria is **moderate to low**, with significant challenges hindering their full inclusion into society.

Key challenges are related to the **limited access to education –** many unaccompanied minors face barriers to enrolling in schools, particularly those over the age of 16, as education is not compulsory for them; **social isolation and discrimination** – refugee children frequently experience discrimination and lack of awareness about their rights, leading to social exclusion and limited opportunities for integration; **inconsistent implementation of integration programs** – initiatives like the protected housing service and Safe Zones provide essential services, their capacity is limited, and not all unaccompanied minors have access to these programs.

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While there are commendable efforts to support unaccompanied children in Bulgaria, the overall integration and sense of belonging remain limited due to systemic challenges. Addressing these issues requires comprehensive policy reforms, increased resources, and a more inclusive approach to ensure that unaccompanied minors can achieve active and productive citizenship.

Burn-out prevention

In Bulgaria, there is currently no comprehensive, nationwide program specifically dedicated to preventing burnout among guardians of unaccompanied minors. However, several initiatives and resources indirectly support these professionals by addressing burnout in related fields and providing tools that could be adapted for guardianship contexts.

Trends in the future

In the near future, Bulgaria is expected to enhance its legislative framework and social systems to better support children with disabilities, both from Ukraine and other countries, and their guardians. These developments align with Bulgaria's commitments to the European Union and international standards, aiming to provide inclusive, community-based services that promote independent living and integration.

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Conclusions

The efficiency of the current guardianship system

Bulgaria's guardianship system for unaccompanied migrant children, particularly those with disabilities, faces significant challenges in effectively addressing their unique needs.

The identification of vulnerabilities, including disabilities, remains inconsistent. While legal frameworks mandate vulnerability assessments during the asylum process, their implementation is sporadic. The availability of specialised services for children with disabilities is limited. While initiatives like the GUIDE project have developed training manuals to enhance guardians' capabilities in supporting children with disabilities, the practical application and impact of these resources within Bulgaria's guardianship system remain uncertain. Despite these challenges, there have been efforts to improve the situation, and there are many NGO that work hard to increase the level of services provided. UNICEF, in collaboration with the State Agency for Refugees and IOM, has established Safe Zones in reception centres, providing dedicated spaces for children, including those with disabilities, offering protection and tailored services. Additionally, the Bulgarian Red Cross, in partnership with UNHCR, has opened a protected housing service in Sofia, designed to offer a homely environment with comprehensive support services for unaccompanied minors.

While Bulgaria has made some strides in addressing the needs of unaccompanied migrant children with disabilities, significant gaps persist in identification, assessment, legal representation, and specialised services. A more robust and consistent implementation of existing laws and initiatives is essential to ensure that these vulnerable children receive the comprehensive protection and support they require.

Key lessons learned from the analysis of the national framework

Bulgaria faces challenges in data reporting, with significant gaps in tracking unaccompanied children who leave refugee centres, leading to uncertainties about their whereabouts and well-being. Additionally, there are notable data deficiencies concerning children with disabilities, highlighting systemic weaknesses in monitoring and reporting practices.

Some of the learned lessons are related to:

- Strong legal provisions are ineffective without consistent enforcement and practical application.
- Timely and comprehensive assessments help identify vulnerabilities and inform appropriate support.
- Guardians often lack the proper training and support that would allow them to effectively protect children's rights.
- Fragmented services lead to gaps in care and protection.
- Family-based or small-group care needs to be prioritised as it leads to better outcomes than large institutional facilities.
- Reforms need to be institutionalised and financially supported to endure.

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General recommendations for enhancing the guardianship system

Long-term recommendations are related to different aspects, such as:

Necessity of punctual guidelines and training programs to guarantee the best handling of the unique needs of UASC – the increase of their role to cover more than just legal issues. There are a lot of different situations which affect the psycho-social aspects of working with children.

There is a huge need to increase the resources for interpreters, because the language barrier can be very frustrating. That means that there is a need for stable funding for services, and a need to create a partnership to find more human resources.

There is a need to **increase the capacity of social services**, so they can accept more unaccompanied children. Social workers need more support, so they can guarantee the best interests of the children – special training, support by providing additional resources for interpretation and specific help in working with foreign children in different types of social centres, foster care, etc. There is also a need to create more spaces (social centres) with priority – **specialised** work with foreign children, and especially the development and implementation of protocols for care to UASC with disabilities. The transition to adulthood is another aspect that must be invested in. When these children become adults, they should be prepared for real life – how to adapt, how to find a good job, and to be part of the community. Here, collaboration with NGOs is essential.

There is also a need to upgrade the infrastructure in Registration and Reception Centres to improve the conditions for children. **Overcrowding is a problem, and there is a need for an efficient solution related to relocation.**

A lot is done for educational support, but a **better language integration** of children is still needed, mostly for those from third countries.

Collecting and monitoring of the data is another aspect that needs to be upgraded – how to collect and systematise the data, how to analyse it and to have enough information on which to build so that there are improvements in the system for working with these children.

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