

## Children left behind: between labour migration, institutional standards, and extended family



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*Report elaborated by ROMACT experts based on a study conducted over the period  
November 2020 - January 2021 in 9 ROMACT municipalities in Bulgaria.*

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## Summary

Many Bulgarian parents, whose absence from their homes is most often due to short or longer-term labour migration, leave their children in the care of other adults or include children in pendulum migration. The phenomenon is widespread throughout the country and *is observed among all communities regardless of social and economic status* or ethnic origin. The economic benefits brought by this phenomenon to the country seem to overshadow the issue of the left-behind children, while hundreds of children (including Roma) are severely affected by it.

The legal framework in Bulgaria does not consider the children left behind to be *children at risk*, they are not being considered as being *abandoned children*, despite the fact that a wide range of their needs usually remain unmet. In the period November 2020 - January 2021, ROMACT Programme experts conducted a study in order to outline the problems of children left behind in the municipalities it covers in Bulgaria.

The field research and the review of the existing publications on the topic unequivocally show that the absence of the parents has a significant impact on the normal and healthy growth of children. Although, in general, the parents leave their children under the substitute care provided by other adults and sustain an acceptably regular online contact with them while abroad, their daily absence from the child's immediate social and physical environment sometimes leads to negative outcomes such as school dropout and drug use. There are children who physically manifest their parents' absence (in the form of fever for short periods right after the departure of their parents, for instance), but more importantly they fall in social isolation, aggression, and conflicts with peers. Another negative effect for some children is the deepening of poverty due to unregulated guardianship which prevents those adults caring for them to receive social and child benefits.

The report also found that there is a lack of communication and interaction among the relevant public entities and no systematized studies to provide data on left-behind children. Moreover, there is no clear and straightforward procedure for parents to arrange the guardianship of their children by choosing a person (for example, a close relative). Civil servants are not prepared to meet the needs of the left-behind children, their parents or the people entrusted with childcare.

The report also contains a number of specific recommendations to various stakeholders - parents, guardians, and relevant institutions – aiming at minimizing the negative consequences on the left-behind children. It highlights the need to develop an integrated information system and integrated services for the left-behind children as well as to improve the regulations for providing state and municipal funding. The report also calls for a clearer commitment on the part of the Municipal Children's Commissions to address the needs and ensure the rights of left-behind children, to develop a simpler mechanism allowing parents to appoint a guardian for their children before leaving the country and therefore to ensure the best possible representation of their children interests.

## Aims and methods of the study

The phenomenon of *children left behind* was identified at local level during the activities implemented in the municipalities participating in the ROMACT Programme. In pursuing the ROMACT objectives for providing support to local authorities to cope better with the social inclusion of vulnerable groups, the ROMACT team considers it relevant to address this issue further with a view of identifying solutions and potential capacity-building tools that will improve the situation at local level in this field.

It follows that the aim of this report is to summarise the current situation regarding the issues of children left behind (whose parents live outside the country long-term), describe mechanisms for providing integrated services for children at risk and draw up conclusions, recommendations and guidelines for parents and other adults who are caring for left-behind children as well as for the relevant institutions responsible for the social protection of children.

The main barrier in researching this social phenomenon is the lack of information at all levels. We filed a request with the Ministry of Education and Science under the Law on Access to Information for data on the number of children in the education system whose parents work abroad, but the information was not provided. We justified our request through the fact that schools and kindergartens annually fill in a Work Card for collecting information about the educational level and employment of the family of each student and child, including for adults who care for the children whose parents work abroad or in another city. In its reply, the Ministry stated that the provision of information by families in this case is done on voluntary basis, and not all institutions of the education system are required to collect and submit such information through this Work Card. For example, no information is collected for the students in special schools, schools in places of detention, for students enrolled in evening classes, part-time, independent and distance learning, etc. Another reason cited by the Ministry for not disclosing the information is related to Regulation (EC) 2016/679 (the General Data Protection Regulation) and the Law on Personal Data Protection. Under these regulations, the Ministry (through the Centre for Information in Education) does not provide data about the parents of children to external applicants.

During in-depth interviews, the experts said that information about children left behind is not collected and systematized. In practice, no institution (other than - to a certain extent - the Ministry of Education and Science) keeps data on the numbers of such children.

For this reason, and for the purpose of this report, the research team has developed a methodology incorporating the following tools and approaches:

- Existing research and publications about left-behind children or children involved in pendular migration with their parents were studied;

- Four (4) focus group discussions were held with representatives of the local communities from Rakitovo, Belogradchik, Tsenovo and Byala Slatina, with a total of 27 participants;
- 18 in-depth interviews were conducted with municipal experts, social workers, health and education mediators, local activists, independent experts, teachers, school principals and informal guardians from Peshtera, Belogradchik, Gurkovo, Rakitovo, Lukovit, Tsenovo, Byala Slatina, Borovan and Knezha.

The study included only the municipalities participating in the ROMACT Programme, with small and medium size towns, where the existence of the problem of the left-behind children was identified in the course of implementation of the Programme activities.

For each category of respondents, and for the focus group discussions, we designed questionnaires about the attitude, experience and impressions on children whose parents had left them in the care of friends or relatives because they were working abroad.

The study was conducted over the period November 2020 - January 2021 in 9 ROMACT municipalities in Bulgaria.

### **Current context**

There is no definition in Bulgarian law of "children left behind" /" left-behind children" or "children whose parents live and work abroad", or any other definition to categorise the specific situation and needs of children who have been left behind by parents living or working abroad. The terminology is also absent from the basic national documents dealing with migration in general or in some way dealing with child policy.

In its English-language publications<sup>1</sup>, UNICEF employs the term "children left behind"<sup>2</sup>. This refers to children who are being brought up in the country where they were born and whose parents have left them in the care of others to go and work abroad. In 2014, UNICEF Bulgaria published the report "Effects on children left behind by parents who live and work abroad"<sup>3</sup>, where the terms "children with parents abroad" and "children left behind by parents who live and work abroad" are used. **For the purposes of the present study, we will use the term "children left behind" / "left-behind children". In the focus groups and in-depth interviews, we also used the term "children with parents abroad", to refer to parents working or living abroad over the long term.**

As stated earlier, there are no official statistics about the number of children left behind in Bulgaria. The only attempt to forecast more accurate data is set out in the UNICEF report referred above.

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<sup>1</sup> <https://www.unicef.org/media/83581/file/Children-Left-Behind.pdf>

<sup>2</sup> Refers to children whose parents live or work abroad

<sup>3</sup> <https://www.unicef.org/bulgaria/media/2896/file/BGR-children-left-behind-report.pdf.pdf>

According to this report, at the time of its publication, between 20% and 25% of children in Bulgaria had one or both parents living and working abroad, with the percentage among Roma children being over 37%. It is likely that these figures have significantly increased since the UNICEF study was published in 2014 therefore based on older data. Either way, no further data is available, and the current assumption is that **every fourth or fifth child in Bulgaria has been left behind by parents who are living or working abroad**. Participants in the focus groups and interviewees said that almost *every house* (household) in their area had at least one person who was abroad.

In the context of child welfare, the absence of a single parent is a significant issue. The absence of *both* parents is highly significant. The significance arises from the *potential* risk to the child. The regulatory framework in Bulgaria fails to adequately cater for the concept of “potential risk” and tries to deal with the issue of risk in *absolute* terms. The Bulgarian Child Protection Act acknowledges risk arising from parental absence in only 2 circumstances: (1) total *lack* of parents (presumably because they are dead) and (2) *permanent* deprivation of their care. Since the child protection framework tends to operate in absolutes, it means that there is a lack of sensitivity among practitioners towards *emergent* issues and a lack of preparedness to deal with *potential risk* growth.

### **Regulatory and institutional framework**

This review of current child protection and social services policies aims to examine the formal offer of child welfare, including guaranteed access to education, health care, socio-economic development, and protection of the lives of children in the absence of their parents within the meaning of the Family Code. It also examines the options for granting adult relatives or close friends rights to perform some parental functions such as representing the child before institutions, looking after its psychosomatic health, and ensuring participation in the educational process. We have also researched the legislative framework about assessing the fitness of relatives and close friends to provide parental care, and also the availability of social services to support those relatives or close friends who are entrusted by the parents to care for their children and minors.

### ***Responsibilities and empowerment of guardians***

The legal framework in Bulgaria does not provide the possibility for parents to transfer their parental rights to another adult in cases when they are temporarily or permanently absent from their home thus unable to take care of and raise their child / children directly.

The Family Code regulates relations based on marriage, kinship, and adoption, as well as guardianship and trusteeship, and promotes the principle of special protection of children.

Under the Family Code, the only possibility to authorize<sup>4</sup> relatives to raise a child is through the legal procedure of the creation of guardianship ("nastoynichestvo" for children under the age of 14 or "popechitelstvo" for 14–18-year-olds). The Family Code clearly lays down the conditions for establishing guardianship<sup>5</sup> but there is not a specific elaboration of the situations where children are left behind by parents who go abroad to work on a seasonal or long-term basis.

The Family Code outlines the parents' duty of care, education, and supervision for their children<sup>6</sup>. Under the Family Code, each municipality has a guardianship office represented by the municipal mayor<sup>7</sup>. This office helps guardians in performing their obligations. The Social Welfare Directorate is also required to give support in this respect under the Law on Child Protection.

The Child Protection Act lists the grounds for placing a child outside the family as a measure for protection after all possibilities for protection in the family have been exhausted or when the child needs to be removed urgently<sup>8</sup>. Generally, a child is placed outside the family when it is established that his or her parents have died or are deprived of parental rights; when parents or guardians, without good reason, do not take care on permanent basis of the child or are permanently unable to raise the child; or when the child is a victim of domestic violence, there is a serious risk of impairment of his or her physical, mental, moral, intellectual, and social development.

The procedure for placing a child outside the family provides for the placement of a child in the family of relatives and friends<sup>9</sup>. However, it is always applied by the court or - until the court rules - in an administrative way by social services since it is implemented as a measure to protect a child at risk. In practice, cases of children left by migrant parents in the care of relatives are not considered as children at risk, apparently because most parents, although away from home, continue to care for their children, albeit remotely - they send them money, maintain communication daily, try to re-educate and control them, maintain contact with their teachers, etc.

Three issues can be highlighted regarding this process: its bureaucratic complexity, the delays and their financial implications for the family and the potential jeopardy arising from the legal assessment of the circumstances surrounding a guardianship request. The Family Code does not actually provide for the *delegation* of parental responsibility whether the request was made by a person with parental responsibility or through a formal request by another person to a competent

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<sup>4</sup> This term is only used in Art. 204 of the Law on Preschool and School Education in the context of sanctions pursuant to Art. 199: "In the sanctioning procedure, schoolchildren shall be represented by a parent or a person authorised by the parent". Outside guardianship, there is no formal option for granting a person who is not a parent the authority for dealing with a child's education.

<sup>5</sup> Art 153(1) Family Code

<sup>6</sup> Art. 125 Family Code

<sup>7</sup> Art.154 of the Family Code

<sup>8</sup> Art.25 of Child Protection Act

<sup>9</sup> Art.26 of Child Protection Act

authority<sup>10</sup>. Rather, guardianship is *bestowed* by the competent authority and this usually happens when *a)* there is harm inflicted on the child by the parent(s); *b)* there is doubt about parenting capacity (e.g. long-term illness, addiction); *c)* one or both parents die.

On this basis, it is not legally possible for parents to *request* the formalization of temporary care arrangements involving other family members or friends while they are absent due to overseas employment. This means that, in circumstances where the court is involved in cases of left-behind children (or those whose parents contemplate leaving them behind), the parents are in a position of vulnerability or, indeed, jeopardy.

Some commentators suggest that there is a contradiction between the Family Code and the Child Protection Act. Article 26 of this act is worded as follows:

“(1) The placement of a child with a family of relatives or friends, as well as placement of a child to be reared by a foster family or a specialised institution shall be done by the court. Until the court comes out with a ruling, the municipal social assistance service shall provide for a temporary placement by administrative order.

(2) The request to apply measures under para 1 shall be submitted to the court by the municipal social assistance service, by the prosecutor *or the parent*”.

However, there is no contradiction. The parent can ask the court to apply placement measures but there is no specific mechanism that allows parents to delegate the guardianship role, not even in the event of their death (although they can express their desires in their will).

Usually, a left-behind child will be referred to social services (via child protection) for one of two reasons - financial problems of the care provider or the challenging behaviour of the child. In many cases, the parents provide the caretaker with notarised power of attorney but, in order to set the relationship between child protection and the care provider on a more substantial footing, the child protection service will approach the court and ask for the care provider to be given full guardianship. This is nearly always granted, meaning that the child is more comprehensively protected.

However, this can create jeopardy for the parents. If a guardianship arrangement is to be understood to be temporary, its duration should be specified, meaning that the parents should fix a date for their return to Bulgaria. In some circumstances, this can be difficult. Big construction projects can overrun the time, and seasonal agricultural work may last longer than expected. Travel costs can often be paid by contractors (via their hiring agents), but these costs may not be reimbursed if employees leave early.

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<sup>10</sup> <http://ceflonline.net/wp-content/uploads/Bulgaria-Parental-Responsibilities.pdf>, page 32



**Where a child is placed in the care of relatives or friends under the Child Protection Act, the agreement of the new carer is required, and the carer's suitability is assessed.**

The families of relatives or friends are supported by social services, which include an assessment of candidates for foster families, training, mutual adaptation, support, and monitoring of the child's upbringing. Social services are delivered by municipalities and by social service providers licensed under the Law on Social Services. The Social Welfare Directorate can provide social services at the current address of the family only in cases where the municipality fails to provide social services, which cover these activities and there are no licensed social service providers<sup>11</sup>.

The Social Welfare Directorates can also provide monthly aid for children left with relatives or friends<sup>12</sup>. One-off grants may also be given four times a year for urgent specific needs that may arise, which are not linked to the safeguarding of a child by family and friends<sup>13</sup>.

The Law on Preschool and School Education clearly defines the participants in the educational process: *children, pupils, teachers, principals, and other educational specialists, as well as parents*. The Law on Preschool and School Education also clearly defines the role of the parents in choosing the form of preschool and the school where children will begin their education.

The Law on Health Care specifies the way an informed consent for medical services should be obtained - in general terms, medical services are provided with the express informed consent of the parent or guardian of patients who are young children or minors<sup>14</sup>. The Law on Health Care also regulates the responsibility of the parent / guardian for mandatory vaccinations<sup>15</sup>.

The Law on Personal Documents defines the responsibility of parents and guardians for obtaining and keeping the personal documents of children. The Law on Personal Documents requires applications for personal identity cards to be submitted by the child in person, in the presence of a parent or guardian who signs the declaration. Identity cards of minors are issued to the parent or guardian or, in exceptional cases, to an authorised person holding express notarised authorisation, or to any other person nominated by a parent or guardian in the presence of an official in the application prior to submission<sup>16</sup>.

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<sup>11</sup> Art 34a(4) Law on Child Protection

<sup>12</sup> Art. 49 of the Regulations Implementing the Law on Child Protection sets out in detail the methods of calculating monthly assistance.

<sup>13</sup> Art. 48 of the Regulations Implementing the Law on Child Protection

<sup>14</sup> Art. 87 Law on Health Care

<sup>15</sup> Art. 209 Law on Health Care

<sup>16</sup> This is the only case where a parent can be represented by an authorised person (Law on Personal Documents) in the context of the safety of the child and the child's interaction with the Ministry of Internal Affairs/police.

### ***Protection of children at risk***

The term "children left behind" or "children whose parents are abroad" does not figure in the primary or secondary legislation. There is no legislative text that regards them as "children at risk" with the attendant specific institutional action to provide for their protection and support for their caretakers.

According to the Bulgarian legislation a "child at risk" is a child:

- whose parents have died, whose whereabouts are unknown, who have been deprived of parental rights or whose parental rights have been restricted, or who have not cared for the child;
- who is the victim of abuse, violence, exploitation or any other inhumane or degrading treatment or punishment within or outside the family;
- whose physical, mental, moral, intellectual or social development is at risk of harm;
- who is at risk of dropping out of school, or has already done so.

The Child Protection Act also makes particular reference to children "of prominent talent" (gifted children) so as to acknowledge their vulnerability.

The definition in the Law on Preschool and School Education of a "child or pupil at risk" is reproduced from the Law on Child Protection, except for a key criterion regarding education - "child at risk of dropping out or who has dropped out of school." This criterion is absent from the section of the Law on Preschool and School Education defining a "child or pupil at risk".

The Mechanism for collaboration among institutions for the inclusion of children and pupils of ages of compulsory preschool and school ("the Inclusion Mechanism") mentions *"the implementation of procedures for the provision of in-kind family and social benefits according to the individual requirements of children and pupils and improved coordination in sanctioning parents, guardians/foster carers or persons caring for a child at home who are in breach of their obligations under the Law on Child Protection and Law on Preschool and School Education"*. People who work in the Inclusion Mechanism teams report that they collect information about schoolchildren outside the country, which they enter the Inclusion Mechanism Information Implementation System<sup>17</sup> (ISRM). The Inclusion Mechanism obliges municipal mayors *"to employ suitable ways and means of informing parents of children of mandatory school age about their obligation to enrol children in the*

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<sup>17</sup> The ISRM provides an environment for exchanging information and coordination among interested parties and institutions involved in the Inclusion Mechanism

*educational system here or abroad and to register them under the Citizen's Registration Act if their home address in the country changes*"<sup>18</sup>

At the same time, conversations with members of Inclusion Mechanism teams have made it evident that they also use individual questionnaires to obtain information about children and pupils in the country who are being cared for by relatives or close friends since their parents are abroad. According to the members of the inclusion teams, this information is not entered into the Information System and is therefore not used by the relevant institutions.

### ***Services and social assistance in support of children and families***

The Law on Personal Data Protection regulates the conditions for receiving family benefits for bringing up children and the ways and means in which they are provided, underlining that family benefits may be granted in cash and/or in kind, to help children to be brought up by their parents or other carers in a family environment. One of the conditions for receiving monthly child benefits up to the end of secondary school is that the child has not been placed outside the family for upbringing pursuant to Art. 26 of the Law on Child Protection<sup>19</sup>, and that the child is living in the country.

If the parents are outside the country and the child has no legal guardian, in practice there is nobody who can apply for social assistance, social benefits or social services on the child's behalf.

The amended Law on Social Services states that *"every child has the right to social services in accordance with the child's best interests, age, physical health and mental condition, developmental level and individual needs"*<sup>20</sup>, the services being subdivided into *"universal"* and *"specialised"*. Universal services are *"information, consultation and training in the realisation of social rights and the development of skills provided for a maximum period of two months"*. Specialised services are provided where ***"a particular risk to the life, health, quality of life or development of the person arises; if a specific need of a particular group of people needs to be met"***. Depending on the main group of activities, the following types of social services are provided: *"information and consultation; advocacy and mediation; community work; therapy and rehabilitation; training in the acquisition of skills; support for the acquisition of work skills; day-to-day care; residential care; provision of shelter; assisted support"*<sup>21</sup>. Depending on the specific needs of users, social services can be aimed at: *all children; **children at risk within the meaning of the Law on Child Protection;***

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<sup>18</sup> Article 5, paragraph 4, item 7, Decree №100 / 8 June 2018 on the establishment and operation of a Mechanism for joint work of institutions to cover, include and prevent dropouts from the educational system of children and students from compulsory preschool

<sup>19</sup> Art 7(1)(1)

<sup>20</sup> Art 7(2) Law on Social Services

<sup>21</sup> Art. 15 Law on Social Services

*parents, adoptive parents, **carers of children**, prospective adoptive parents and foster parents, etc.*"<sup>22</sup>.

When social services are provided, action is also taken to **support the families and friends of the service users**. According to the Law on Social Services, **only** the Social Welfare Directorate can make referrals for social services aimed at "*children, parents, families and persons caring for children in cases where services are provided as a child protection measure pursuant to the Law on Child Protection*". Referrals to the Social Welfare Directorate for access to specialised, centrally funded, social services are made at the request of the person in question, who can apply to the Social Welfare Directorate verbally in the office or by telephone, or in writing, including electronically<sup>23</sup>. Social services are provided by specialised institutions, in the community, including in recipients' homes.

The adoption of a new Social Services Act in March 2019 provided for and allowed the development of so-called "publicly available services" (общодостъпни услуги). For the first time, provision was made in the social sphere for the development of services and support for children and parents outside the regime of protection measures that are only imposed when there is a recognition of significant risk to the child. Previously, all children had to be referred to specific social services in the context of child protection.

Under the Law on Social Services, provincial governors are obliged to assist *coordination and cooperation between municipalities within their province in assessing the demand for social services, planning and providing social services at provincial level, and interaction among municipalities on the territories of their province and the territorial units of state authorities*.

*Municipal councils are responsible for framing their own social services policies in accordance with the demand at municipal level and the priorities of state policy. Municipal mayors shall pursue municipal social services policy in accordance with the decisions of municipal councils; **they shall analyse the demand for social services in their municipality**; they shall manage the provision of social services within their municipality with funding from the state and municipal budget, etc.*

*Municipalities shall conduct their social services policies in collaboration with territorial structures of the Ministry of Labour and Social Policy, Ministry of Health, Ministry of Education and Science, the Ministry of Internal Affairs, police, and other government authorities*<sup>24</sup>.

Those municipalities can delegate the management of services to other bodies that must be registered to act for public benefit. This is based on a process of public tendering and the contracts

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<sup>22</sup> Art 14(2) Law on Social Services

<sup>23</sup> Art. 3(1) of the Regulations Implementing the Law on Child Protection

<sup>24</sup> Section II of the Law on Social Services describes the responsibilities and powers of local authorities about providing, stopping, and maintaining social services

last for a specific number of years. However, only the local authority has the right to request the creation of a service that is to be state funded.

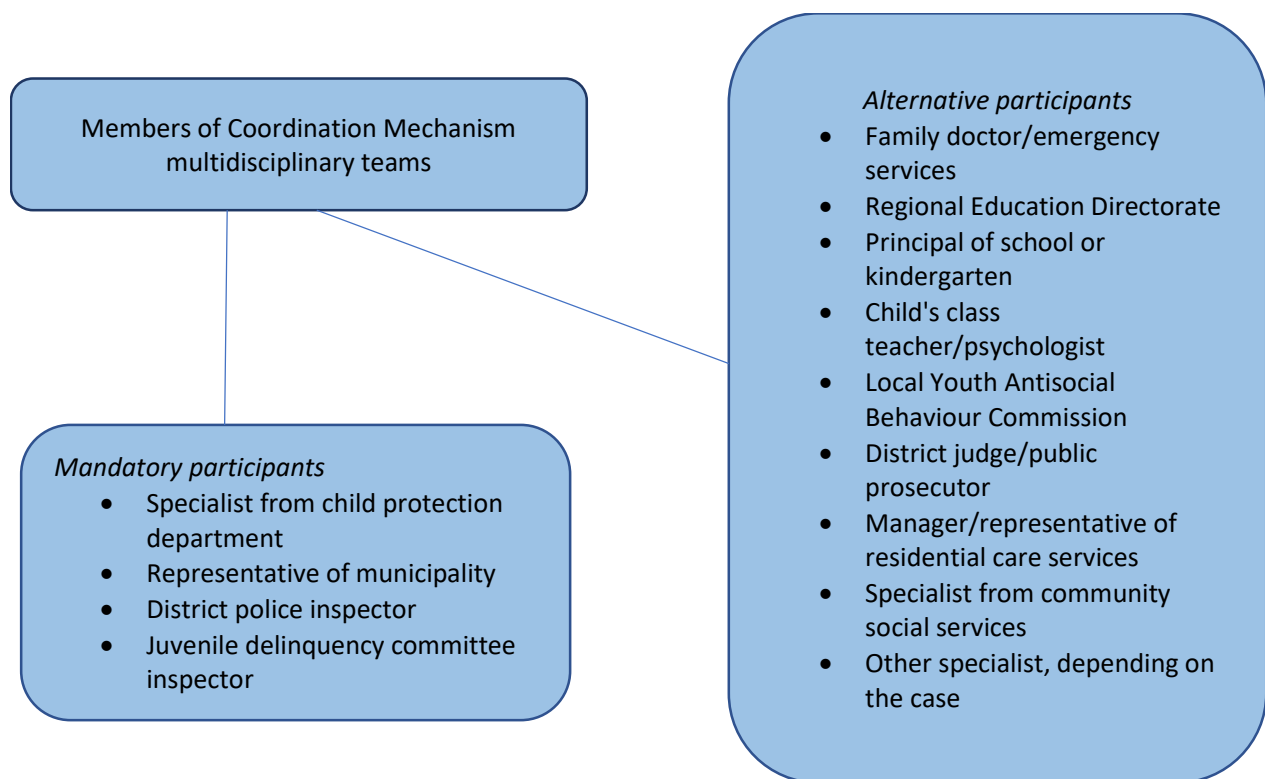
In 2017, the Child Protection Hub for Southeast Europe published a series of country reports about quality control. The report concerning Bulgaria refers to systematic failure to consider the quality of outcomes for clients of social services or their impact on the actual lives of children and families. Also, there is a lack of meaningful participation of children and families in the process although the regulatory systems suggest it. The emphasis is on procedural compliance and the accumulation of statistics on the use of services. This is consistent with the content of a report by the European Commission produced in 2017 – ‘Public administration characteristics and performance in EU28: Bulgaria’ that refers to the dominance of “procedural logic”.

**The natural conclusion in this case is that the procedural rigidity of the system impacts negatively on its sensitivity to *emergent* issues such as the phenomena of absent parents and left-behind children.**

### ***Coordination among institutions***

Under the "Agreement on cooperation and coordination of the work of territorial structures of child protection authorities in the case of children who are the victims of violence or at risk of violence, and emergency intervention", the child protection authorities at national and local level are responsible for the implementation of the Coordination Mechanism for cooperation when dealing with children who are the victims of violence or at risk of violence, and cooperation in emergency intervention ("the Coordination Mechanism"). The National Child Protection Agency, in partnership with the Ministry of Internal Affairs/police, the Social Welfare Directorate and Provincial Administrations monitors the implementation of the Coordination Mechanism on an annual basis.

To ensure the protection of children at risk, the Social Welfare Directorate sets up multidisciplinary Coordination Mechanism teams, whose members work together to see the cases through, and to draw up plans to protect the individual children or prevent the violence. Each team is led by a social worker appointed by the director of the Social Welfare Directorate. Teams invariably include a representative of the local police (district inspector, child education inspector or a fieldworker), the district prosecutor's office and a representative of the municipality. The team may also, at the discretion of the team leader, include representatives of the local health inspectorate, the child's family doctor or a representative of the hospital which first flagged the case, a regional educational representative for the school, kindergarten or other educational institution and a representative of the state-funded social services supplier for the services which the child should use. The municipal mayor is responsible for coordinating the action of the multidisciplinary team.



Source: *National Child Protection Agency*

The Law on Child Protection requires each municipality to set up a Children's Commission with consultative and coordinating functions, including representatives of the municipal administration, the local directorate of police, the regional education authority, the regional health authority, the Social Welfare Directorate, the local commission for combating anti-social behaviour by minors, and non-commercial legal entities and other organisations involved in child protection. The commissions are chaired by the municipal mayors or their authorised representative. These commissions are a focal and coordinating point for child policy throughout the territory of the municipality and provide a channel for the implementation of local child protection policy. The commission draws up the municipal child protection programme in accordance with the needs of children and families living in the municipality. It is responsible for collaboration and coordination; and facilitating the information exchange between the competent authorities and organisations involved in child protection at municipal level. The Children's Commission holds regular meetings at least once every two months.

However, it is acknowledged that sustaining continuity in the configuration of the children's commission is difficult because of the level of turnover among those individuals who act as "alternative members". Naturally, this jeopardises the integrity and consistency of the commission's activities.

Every year, the Council of Ministers adopts a National Child Protection Programme proposed by the Minister for Labour and Social Policy and the president of National Child Protection Agency. The National Child Protection Programme obliges all state institutions to act to ensure that children's rights are respected and upheld in the best interests of the children in Bulgaria.

The National Child Helpline operates 24/7 within the National Child Protection Agency. Most alerts about children at risk are received at the National Child Helpline, which provides counselling to the child, parent, or carer. It also issues guidance and information on administrative procedures and rules in relation to children's rights.

*The National Child Helpline is a useful tool with a high level of confidentiality, which is important. When we get an alert about an at-risk child, we forward it to the Social Welfare Directorate, which responds within 24 hours. We follow up and receive reports of the response to alerts and monitor developments in each case". (Expert, National Child Protection Agency)*

According to its website, the National Network for Children is “an alliance of civil society organisations and supporters, working with and for the children and families across the whole country”.<sup>25</sup> With the support of a large team of experts, the organisation compiles comprehensive annual reports (“report cards”) assessing whether “the government and administration have fulfilled its commitments to the children in the last year”. There are sections on child welfare, protection of children from all forms of violence, early childhood development, child health, education, family environment and alternative care, justice for children and child participation. Despite the comprehensive scale of the review of government performance, the issue of left-behind children *is noteworthy by its absence*. Due to lack of concrete data, it is very difficult to construct a case on the topic or to frame the issue and address it at different levels.

## **Analysis of the study data**

### ***Main characteristics and trends in labour migration***

Since Bulgaria's accession to the EU and the subsequent opening of borders, the processes of globalisation in all areas of life have allowed citizens to seek a better life, or at least better earnings, outside the country. While before 2007 the main destinations were Greece, Italy and Germany, after that date there were practically no restrictions. The leading destinations are Greece, Italy, Germany, Holland, France, Spain, the Czech Republic, and Belgium. What attracts people to some of these

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<sup>25</sup> <https://nmd.bg/en/>

places is not just the labour market, but also the flexible social system which, if nothing else, at least ensures a certain level of security in the form of a minimum income.

During the accession period and seven years after Bulgaria joined the EU, labour migration was not as common for small towns and villages as after 2014, when Bulgarian and Romanian citizens were granted the right to work freely throughout the EU without requiring work permits<sup>26</sup>. For this reason, labour migration during the first years of Bulgaria's membership of the EU was seasonal, with mainly the man or the woman of the family working abroad temporarily (in agriculture, industry, care, municipal services, etc.) depending on the country and their experience. In recent years there has been a growing trend of entire families moving with their children, although this is not yet a widespread phenomenon, as most families say they want to continue their life in Bulgaria.

*"In our area, the Roma take their children with them because they don't have anyone to leave them with. The Bulgarians, on the other hand, have good conditions at their grandparents. When the Roma parents have taken their children, they successfully integrate into all systems over there: they enrol their children in schools and receive child benefits. Before doing so, they carefully study the country in question and get information from people they know on how to prepare. Things are done differently there, and they appreciate that. They are treated differently there. They are held responsible for their children, but the State also supports them by finding them work and training. I can see a change in the people who go abroad. They get used to following the rules". (Teacher from Tsenovo)*

The differences in economic development and the standard of living of individual communities, regions and countries inevitably correspond to differences in other features that characterise quality of life - the education system, healthcare, social security, institutions and the legal system, incomes and working conditions, inequalities in payment, differences in social and demographic development, discriminatory attitudes, etc. Interviews conducted during the study show that these primary social factors influence attitudes to migration and make the choice of going abroad comparatively attractive, even if it is not regarded as something particularly desirable. The lack of any kind of opportunities to work or make a living in Bulgaria prompt people to take the risk and go abroad, leaving their children with relatives.

*"If I make 700-800 levs here in Belogradchik, and my wife earns the same, I wouldn't go to spend all day bent double over strawberries or mushrooms far away from my children. There's nowhere to work here, and I couldn't even afford the basics - food, clothes, school things - if I stayed here. When I go to England with my wife, in three months we come back with ten thousand levs and we are fine for the next 4-5-6*

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<sup>26</sup> The Bulgarian and Romanian EU accession agreement allowed the 15 old Member States to impose a moratorium of up to 7 years on access of the citizens of both countries to their labour markets, and hence to their social, health, education, and other systems.



*months. We have money for school, for clothes, for food, and to improve the house” (27-year-old man from Belogradchik).*

*"This is an agricultural region. We used to go to work in the fields and there were some periods in the year when people did nothing else. We made lists, organised rotas and did the work. But now everything's mechanised. They hardly ever hire people for this kind of work anymore. The machines do everything. They also shut down the factories during the transition period. At first, people were afraid to go abroad, but in the end, poverty forced them, and they plucked up the courage to feed their children and their families." (Man, Dolna Studena)*

For over a decade, the only alternative for a better income among the majority of vulnerable communities in the country has been working abroad.

*"Everybody's gone to work in foreign lands for their children, because there's no work here and they can't provide a normal living for their dependants. If there were any job opportunities that would allow us to make a decent living here - to cover our expenses, to cover our children's basic needs - nobody would leave the place they grew up in, let alone their children. But the wages here are negligible - you can't even survive the month on what you earn". (Woman from Knezha)*

Parents usually leave their children to be looked after by relatives because there is not enough awareness and information about how they can care for their children while they work. They often choose not to take them with them, as they are afraid that they will not be able to provide for them and there will be nobody to look after them while they are at work. There are also cases where parents take their children on a seasonal basis - usually during the summer holidays. Many migrant workers leave with the intention of doing specific seasonal jobs. Some parents believe that taking their children into an unfamiliar environment abroad will have a negative impact on them.

*"Life here may be poor, but it's important to be with your children. When parents can't find work abroad, they hurt their children even more because they can't send them money to live on." (Parent from Byala Slatina).*

There are also cases where closer attention from institutions is needed, which involves a greater investment of time and human resources. We encountered the following case during the study:

*In Peshtera, a 65-year-old woman has been caring for her 10-year-old grandson since he was a baby. His mother left shortly after he was born, and since then has returned 2-3 times, occasionally sending very small sums of money. The grandmother is not sure where her daughter is. She knows she has been to France, Germany, and Belgium, but is unsure where she is at the moment. She rarely calls, and her few visits to Bulgaria are very short. Grandmother and grandson live in poor conditions - a small house with no running water. She heats using solid fuel, mainly wood, when she can afford it.*

*When she cannot, she collects brushwood or asks the neighbours for help. Sometimes their power is cut off because she cannot always pay the bill. The plaster recently fell from the ceiling, but she has no way of repairing it soon. They eat minimal amounts of food - sometimes the local shop gives her something free or on credit. Sometimes, on market day, she goes to the market to beg for whatever food stallholders can spare and spare change from the customers. She is unable to work because of her health and her educational level, on top of the fact that there is a high level of unemployment in the area. Sometimes she earns a little money by doing odd jobs for her neighbours. She is wholly dedicated to the boy and entirely focused on ensuring a better future for him.*

*The grandson is in year five of the "Roma School" but she is determined to enrol him in the best school in town after year seven. Although the boy is not top of the class, he does well. He does not have enough school equipment, he does not have a satchel either, so he goes to school with plastic bags. He doesn't have good shoes or PE kit.*

*She only applied to social services for aid once some years ago. According to her, they told her that she cannot get "child benefit" and does not qualify for "school assistance". What they told her was that they could only remove the child and place him with a foster family. In other words, they would "take him away", which is something she will not allow. She prefers to continue to live this way to be with the child.*

According to her and a local activist, the whole town, including the mayor and the other institutions, know of the woman and her child and are aware of her situation. But for a whole decade, nobody has done anything. The school has not alerted social services, including child protection services. Social services did not give a satisfactory response when the woman looked for advice, effectively coming across as being against her rather than on her side. The mayor (who sometimes pays the woman's electricity bills) as a local administrator has the capacity to take the initiative and look for ways to help the household improve its wellbeing by providing social housing or registering the woman on a temporary work programme where high qualifications are not required. People who are in this situation need supporters, and the institutions often do not fulfil this role<sup>27</sup>.

*"There are cases where children are left with their grandparents after a divorce, and the mother or father goes to live abroad alone because 'it's cheaper for them and they can find work more easily'. This influences the children, which then transfers to the family." (Expert, National Child Protection Agency)*

Migrant workers continue to invest in improving their homes in Bulgaria and try to satisfy the needs of their children and relatives, mainly by sending them money. Almost every household in little

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<sup>27</sup> Some days after the authors met the woman, local activists helped her out with money, school equipment for the boy, and clothes and shoes. A member of the Community Action Group established within ROMACT, undertook to help the household in ensuring the grandmother had legal status as guardian of the child and to ensure access to the social benefits and services to which they were entitled.

populated areas has a person working abroad and sending money to the other family members. Young children and minors are usually left to be looked after by relatives - most commonly the grandmother or an aunt. In the view of participants in the focus groups in Belogradchik and Rakitovo, about 60% of children have one or two parents abroad. There are also children of preschool age who have been left in the care of their grandparents.

*"Migration will continue because people can secure a better way of life and are paid better in other countries. In this country, the process began 20 years ago, when people started going mainly to Spain, Italy and Greece, but now they also have the courage to go to other countries. They come back from time to time because they have invested in their homes and their parents are still alive. Many of them also hope to reach pensionable age while working abroad, to get a European pension, and then spend their retirement here. But there are some who retire abroad and stay there."*  
(Woman from Byala Slatina).

In the long term, the effects are also felt by people who stay behind in towns and villages with high levels of migration.

*"In recent years, the population has dropped sharply. The number of children in schools and kindergartens has also fallen. And when there are no people, services are also cut, and access to them becomes limited".* (School principal in the village of Karamanovo)

A paper published in July 2012 showed results of a project entitled 'Bulgarian diaspora in Western Europe: cross-border mobility, national identity and development'. It revealed that between 2004 and the date of research, remittances to Bulgaria from migrant workers represented between one and two thirds of funding entering Bulgaria from overseas<sup>28</sup>. Indeed, those remittances from the Bulgarian diaspora now exceed the level of Foreign Direct Investment.

The following assessment of the economic benefit of remittances from Bulgarians working overseas (long-term and short-term, seasonal work) is significant: "The Bulgarian economy, especially in a period of growth, is affected both by long-term labour migration and by that which is temporary - especially in the form of seasonal employment and posted workers, mainly in the transport sector. In the short term, significant transfers of emigrants are beneficial to the Bulgarian economy and have a positive effect on the social sphere. In the long term, however, the Bulgarian state has an absolute interest in restricting labour emigration and even looking for a reversal of the trend because of the opportunity with experience, investment, and labour of the workers in the country to achieve high and sustainable economic growth"<sup>29</sup>.

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<sup>28</sup> 'Remittances from the Bulgarian Labour Migration. Possible Economic Effects on the Diversity and the Development of the Bulgarian Economy', I. Christova-Balkanska, 2010, Bulgarian Academy of Sciences - Economic Research Institute

<sup>29</sup> 'The Impact of Labor Migration on the Bulgarian Economy', 2018, Economics and International Relations Institute

During periods of political instability, governments focus on the short term. It is easily arguable that it is politically awkward to acknowledge the lack of a meaningful framework to help reduce the negative impact of parents leaving children behind when those parents contribute significantly to consumer spending and investment in real estate. Notwithstanding, it is important to acknowledge that affluent and professional parents also contribute to the issue of left-behind children.

“There needs to be a transparent system in place to indicate where there are needs and why immigration is the right tool to meet them.”<sup>30</sup>

The circumstances described above also show that there is a danger that this can be framed as a poor-people-can't-take-care-of-their-children issue. This would be based on discriminatory differentiation between affluent families and those families living in more precarious conditions.

### ***Local and national formal and informal practices***

Most of the interviewees and participants in the focus groups say that most parents prefer not to undergo the procedure of “*delegating*” guardianship to close friends and family to care for their children during their absence from the country. Many parents see this procedure as a *formal relinquishment* of their children and *formally abandoning them*. Their concern is that the bureaucratic process may cause their children additional trauma, and that it is risky in terms of reinstating their parental rights. However, the guardianship process also formalizes the responsibility of the adults caring for children in the absence of their parents, giving them legal responsibility for them.

The focus groups and interviews show that at local level, children who have been left in the care of their grandparents or other relatives by their parents are not considered children at risk by social services, teachers, members of the municipal administration and the community at large. As a rule, it is considered that parents who plan to go to work abroad do not leave their children without supervision or care and do not expose them to any danger. Social workers only take measures to protect children whose parents have left them in the care of other adults when working abroad when they are alerted that the child is at risk. When this happens, the child at risk procedure under the Law on Child Protection and its implementing regulations are set in motion.

*“Children left behind are not treated as a specific phenomenon. When we are alerted about a child like this, we treat it as a child at risk, and set in motion a potential removal procedure. There is no special procedure for children left behind with their grandparents. They really need care.”* (Social worker, Child Protection Department, Byala Slatina)

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<sup>30</sup> ‘COVID-19 and the Demand for Labour and Skills in Europe Early evidence and implications for migration policy’, Migration Policy Institute, 2021

However, there are cases, albeit few, of parents who go through the procedure to place the children under the guardianship of the relatives caring for them. Cases where parents authorise the adults caring for their children before a notary, or another institution (the municipality) are rare among Roma parents. There is no such procedure set by law, although some parents practise it and the document is valid for some, but not all institutions when an adult must represent the child. But usually, parents try to avoid Child Protection, as they fear that the child will be considered at risk and the procedures can create stigma.

Another significant factor is the fact that a great proportion of parents are not aware of the guardianship procedure. That is why parents often simply inform the class teacher, GP and other institutions that another adult will be caring for their child. In smaller towns and villages, informal agreements of this kind are the norm, and the parents regularly talk to teachers about the child. Children left behind are rarely removed to live with a different family because the community is small, everyone knows each other and there is informal supervision of the care provided for the child that has been left behind.

*"Everybody knows that I am caring for the child - the teachers as well as social services. We haven't received any assistance so far. They only appointed a speech therapist once because he was behind, but we weren't happy and stopped him going there. This is a small town, everybody knows each other"* (Grandmother caring for her grandson with special educational needs, Knezha).

Other parents travel abroad on the spur of the moment and do not even notify the institutions informally, in the belief that their relatives will best care for their children.

*"When people are in a rush, they don't have time to think things through. They leave their children with someone they trust. They pack their bags and leave because the job opening that's there now may be gone tomorrow. They usually borrow from local moneylenders to finance their departure and leave a little bit for their family"* (Teacher from Tsenovo).

Often, migrant workers do not want to inform institutions that they will be absent from their children's lives, because staff at those institutions take restrictive measures and stop their social support or benefits.

*"My daughter and son-in-law worked for a while. Then they signed on at the Employment Office. Then it was time for me to receive my fuel allowance. My son-in-law went there and told them straight out that he wanted to go to Ireland to work for a while. He told them so that they wouldn't wonder why he wasn't signing on. But after that they stopped the fuel payments. When he returned, they didn't let him sign on again and stopped all his benefits and job opportunities through the Employment*

*Office for one year. What sort of service is that? You go and tell them straight out: I'm leaving my wife and children here, please carry on paying them for the fuel they're entitled to. But they stopped him signing on, stopped his fuel grant, and they even stopped his child benefits. What do you call that? Not assistance" (64-year-old woman from Dolna Studena).*

They also worry that if they leave their children with their grandparents, they might be given to a foster family.

*"If you call social services, they'll come and take your child for fostering, because they'll say the grandparents are not capable of caring for the child. That also happened" (64-year-old man from Dolna Studena).*

On the other hand, if there has been a case of a child being removed from a family in a particular town or village, it encourages the parents to arrange the legal formalities and avoid possible future consequences for both themselves and their children.

*"Some time ago, a child in our village was removed from his family. That's why today parents who go abroad **sort out the question of guardianship**. They know the procedure. And they know what awaits them if they don't do it. After all, they don't want their children to be taken by the institutions". (School principal in the village of Karamanovo)*

## **Effects on children left behind and access to services**

### ***Schooling and early age care and development***

The participants in the focus groups and the parents and guardians interviewed said that children left behind do not have problems at school. This was confirmed by some town hall staff. They find that there are no negative changes in most aspects of children's lives when their parents go and work abroad, including their performance at school.

*"I have two boys at home who are already quite grown, in years nine and ten. They are excellent pupils and don't have any problems. The teachers also praise them, they don't worry. I can't help them with their homework and things like that, they do it all by themselves. I can't tell them what to do any more, they're young adults and won't do what I say. For that, they need their mother and father. We go easier on them, and as I'm not the mother, but the grandmother, I can't be as strict." (Grandmother caring for two grandsons with parents working abroad, Rakitovo).*

Educational mediators take a different view - they believe that many of the children suffer from a drop in performance at school. This opinion is supported by the school representatives who have a first-hand view of the children's performance. They are also the ones who can provide the most accurate information about the number of children whose parents work abroad.

*"There are 45 of them. Ours is a small school and I know the families of all the pupils, even those from other villages. Sometimes we must follow up on individual kids because of frequent absenteeism, for example, they don't bring absence notes, and with the educational mediators and teachers we go to their homes, find out what's happening and bring them back to school. Some of the children don't have exercise books or pens... so we collect money and buy them..."* (School principal in Lukovit)

The guidelines issued by the Ministry of Education and Science regarding pedagogical advisers and school psychologists, state:

*"- Psychologists work on an individual level with children or pupils in a group or class, with the teachers and parents and the whole institutional community, to carry out interventions focusing on the mental health of the child or pupil;  
- Pedagogical advisers work more with a group or class and direct the processes of socialisation, maintaining connections with the child or pupil's circle and carrying out other activities with a psychosocial and pedagogical focus. "*

However, very often these specialists, and even the teachers, are not familiar with each individual case.

*"Pedagogical advisers and school psychologists are trained to evaluate or notice changes in a child's behaviour. But for this to be achieved, the parents must inform the school management that they will be absent from their child's life, as there is no other way for the institutions to obtain that information. Of course, where there is good communication between child and teacher, the school can find out that the child has been left in the care of relatives, without parental supervision" (Social educator, Byala Slatina).*

In some places there are reports of low levels of carer involvement in the educational process.

*"Sometimes a child's carers are unable to go to parents' meetings. They have difficulty engaging with Public Council. The absence of parents affects our overall activities aimed at families. Very often they don't answer phone calls. Some of the younger children don't get to school on time because they sleep in or there's nobody to take*

*them. That's when we send in the educational mediator."* (School principal in the village of Karamanovo)

### ***Socio-emotional state and behaviour: communication and behavioural challenges***

Respondents who are not directly involved in the process (institutional experts, school mediators and school directors) see no specific, palpable changes in the social or emotional behaviour of children left behind. According to them, those children enjoy a much higher standard of living, have smarter clothes, newer smartphones, more pocket money, etc.

*"My observations are that children whose parents are abroad enjoy a good standard of living here, they're well dressed, even very well dressed, and have mobile phones and computers. To tell the truth, I don't see any negative aspects."* (Municipal assessor, Belogradchik)

The parents and guardians of these children cannot tell in the long run whether being without their parents over a longer period will have a negative effect on their social and emotional state. Some of them say that sometimes children, especially the younger ones, suffer because of being separated from their parents and this sometimes finds physical expression. One child had a fever for a period of several days after the parents left, but that was an isolated case, at least according to the information collected. However, with other children, alienation from the parents has been more commonly observed, especially when the children are disappointed by the fact that the parents have left, or they have not been prepared for the separation and they expected the separation to be more short-lived than it actually is. Children often do not want to communicate with their parents when they call them by telephone or contact them by some other means. For this reason, it is important for children to be prepared for the separation from their parents, if necessary, in consultation with a psychologist able to assess the degree to which it will affect the child's psychosocial behaviour and whether additional intervention is needed.

*"I went to work abroad and left my daughter, who is in 6<sup>th</sup> grade, with my parents (her grandparents) who have looked after her since she was an infant. One evening, when we were talking over the phone, I noticed that she wasn't feeling well. Her eyes were full of tears, even though she said she was okay. She was sad. After talking with my brother, I learned that my daughter had become depressed despite the care shown to her by her grandparents. After a month and a half abroad, I came back. Shortly after my return, my daughter's teacher called me to say that she was very passive in school, she didn't write anything or take part in the class and sat with her headphones on, in other words, that was happening despite the good care provided by my parents, who were unable to give her emotional and psychological support. My*



*daughter had lost 10 kg. Restoring her original health and emotional and mental state took me some time" (Parent from Byala Slatina).*

The alienation of children from one or both parents makes itself evident even when children have been left with their grandparents from an early age. As parents live and work abroad long-term, they lose their emotional connection with their children. Often when they reach the age of 18 or complete their schooling, they prefer to stay with their grandparents in Bulgaria rather than join their parents abroad. There are also frequent cases when parents face divorce after one of them has lived abroad for a long time.

The National Child Helpline is a tool which some children and the adults caring for them use to find support, information, and ways of dealing with everyday difficulties that they encounter. They often refer cases and are given professional psychological help.

*"Many left-behind children use this helpline. Especially when puberty hits, children look for self-identification. They seek approval from their closest family members. Whatever they may be, parents are the closest family. And when they don't receive understanding and approval from their closest family, they are easy targets and may turn to people who promise them things. Even if it's involvement in gangs. Anyone who acknowledges them. If a girl thinks she's very beautiful and her grandmother tells her she isn't, she'll go to whoever appreciates her looks. But nobody knows what that person's real intentions are." (Expert, National Child Protection Agency)*

Nevertheless, there are also plenty of positive examples where a left-behind child receives all-encompassing care, and the absence of the parents is compensated with suitable care and support and the child grows up in an extended family environment. Social workers usually use the term "family" to mean the mother and father, but often in more traditional communities it means the extended family - grandparents, aunts, uncles, etc. In those communities there is nothing unusual about a child being cared for by family members other than the mother and the father. According to the formal indicators of children at risk, these children are considered as being at risk. However, it also often happens that children in this situation receive very good all-round care compared with children who are cared for only by their parents.

*"I have often cuddled my nephews more so that they don't feel their parents' absence. I have regularly gone to parents' meetings, helped them with their homework and bought them nice clothes. To me, the children are part of my family. We're one family" (Woman, caring for her nephews, Knezha)*

This community practice, which is typical of traditional families, is also confirmed by the representatives of institutions.

*"People who care for someone else's child often don't regard them as left-behind children. They feel a connection to them." (Social worker, Child Protection Department, Byala Slatina)*

At the same time, there are important missing factors as lack of opportunities for development, education, and entertainment for children in small towns and villages which could, to some extent, compensate for the absence of parents by occupying the children in some way.

Lack of recreational opportunities in small communities can add to the plight of left-behind children. Youth leaders and sports coaches can provide some of the mentoring that the children lack when their parents are absent. Moreover, there might be a relationship between parental absence and the intensity of childhood dependence on social media and online sources of recreation. The left-behind children face a "double disconnect"<sup>31</sup>; they are exposed to addictive devices and parental absence. Indeed, they come to depend on their smartphones to maintain contact with their parents, while the devices (in the case of older children) become competitors among an entire multitude of distractions that are vying for the child's attention.

*"Children need to unwind emotionally through educational forms of entertainment such as movies, theatres, etc. These are lacking, particularly in small towns and villages, but they would be able to fill the time when children would otherwise miss their parents. I've had cases of parents returning two months after going abroad because their child has become depressed." (Teacher from Dolna Studena)*

### **Health status**

*"Children who are ill want to hug their mothers, they want their mothers to reassure them, to make them better...." (Woman from Knezha)*

Few challenges relating to children left behind were reported during the study. But their health was often intertwined with other aspects.

Focus group participants caring for the children of relatives said that they have no problem taking the child to the doctor even without the relevant authorisation, when they consult specialists or when continuing treatment that was started with the knowledge and consent of the parents. However, it is not uncommon for doctors to intervene only based on the consent and knowledge of the person caring for the child.

*"Some time ago, a 14-year-old girl came to the hospital with her grandmother. The examination found that she was pregnant. So, the grandmother told the doctor that she had to have an abortion. He said, 'I can't do that, where are the parents?'. 'The*

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<sup>31</sup> Term used by Catherine Steiner-Adair in 'The Big Disconnect: Protecting Childhood and Family Relationships in the Digital Age' (2014)

*parents are abroad and mustn't find out,' replied the grandmother. 'Are you her guardian?' the doctor asked. 'I'm looking after her', the grandmother replied. 'Ok, but what shall we do .... I need the parents' signature for an abortion', the doctor replied. After much insistence, the doctor agreed to prescribe an abortion pill." (Medical worker, Byala Slatina).*

There are cases where a child being cared for by a close relative has special educational needs, and requires special care, continuous involvement, and engagement with a special needs teacher. The adults looking after children with special education needs are often not aware of the regulatory systems and services available for those children, and do not get support or appointments with specialists.

*"The GPs give me lists of children who need to be vaccinated. I then go to their homes. When a grandparent is caring for the child, they mediate in communications with the parents. I tell them about the forthcoming vaccination, and they tell me that the parents will phone and decide whether to vaccinate the child. Sometimes I must visit the same address several times. If there is no progress, I try and contact the parents abroad and then inform the adults that I've spoken with them. It's a lot more complicated when the parents are absent." (Health mediator from Byala Slatina).*

*"It's possible that the older grandparents don't pay as much attention to the children when they're ill as the parents would. They say, 'He'll get over it', and then there's a likelihood of complications." (Teacher from Dolna Studena)*

### **Safety and protection**

The safety and protection of the life of children left behind falls within the purview of the relevant institutions after the event. Involvement in criminal activities by children and minors is often ignored by residents and institutions as something negligible, even though they bring risks both to the perpetrator as a child left behind, and to the victim, who might be in the same situation.

Absent parents can constitute a sign of vulnerability depending on the capacity of those left looking after the child (frail grandmother, inattentive older sibling).

*In 2020, the village of Galiche (Byala Slatina municipality) was rocked by a vicious murder. One morning a 12<sup>th</sup> grade schoolgirl A.R. was found dead and beaten up in the yard of her house in the village by a relative. She lived alone in the family home. After her parents separated, she stayed with her father, who brought her up on his own. Her parents had been separated for ten years. Although her mother also lived in the village, she did not keep in contact with her daughter. Her father and her brother had gone to the UK, where they had settled permanently more than a year before the murder. The schoolgirl turned 18 in 2019. While her father and brother were in the UK, A.R. was in*

*the care of her uncle. She often spent the night in his house. On the evening of the fatal night, she had decided to stay in her family home, as her uncle was having friends around to his house. Despite her attempts to call her cousin for help as the perpetrator was trying to break into her house, she was unable to contact anybody, while the neighbours said they hadn't heard or seen anything unusual.*

*When caught, the perpetrator made a full confession. 17-year-old A.O. had been raised by his father's parents in the village of Galiche. His mother lived in the Czech Republic and did not keep in contact with him. According to local people, A.O. had an unhappy childhood and had witnessed constant rows between his parents when they lived together. This permanently scarred his mental health. When his family broke up, he went to live with his grandparents, who lived in poverty and were not able to provide for his needs in terms of development, education, and health, and as a result he got in with the wrong people from an early age.*

*A.O. was not on the radar of the local Child Protection service. The Social Welfare Agency told the media that their staff had not worked with the perpetrator's family although he had not attended school since year one. The Child Protection service had received no reports about the perpetrator or his victim A.R., who should also have been on their radar, as she had been a minor living alone just before the murder. A.O.'s family did not receive social assistance. For social services to act, in both cases someone would have had to alert them, such as the police, the village mayor, teachers or the head of the school, etc. Although A.O. was known in the village for petty crimes, he hadn't attracted the attention of the institutions"<sup>32</sup>.*

This is not an isolated or exceptional case. There are similar cases outside the areas covered by this study, which have drawn public attention because of the brutality of the crimes against children and minors left behind and illustrate their defencelessness and vulnerability. Similarly, crimes committed by minors left behind illustrate the psychological damage that they might have suffered after their parents have left them behind with relatives or other people.

Based on the child protection legislation, a person who becomes aware of the fact that a child is in need of protection must immediately inform the local Social Welfare Directorate, National Child Protection Agency or police. Any other person who becomes aware of this during his or her professional activities is also required to alert the authorities, even if it means breaching professional confidentiality. The only way of involving a multidisciplinary child protection team is if an alert is received from one of the institutions. Such alerts are still not common practice, since a large proportion of people who witness the need for child protection believe that it "*isn't their job*", "*isn't their business*", and often worry that they "*will put the parents in a bad light*" if the child is found to be at risk, which may undermine their relationship. All this while, there have also been

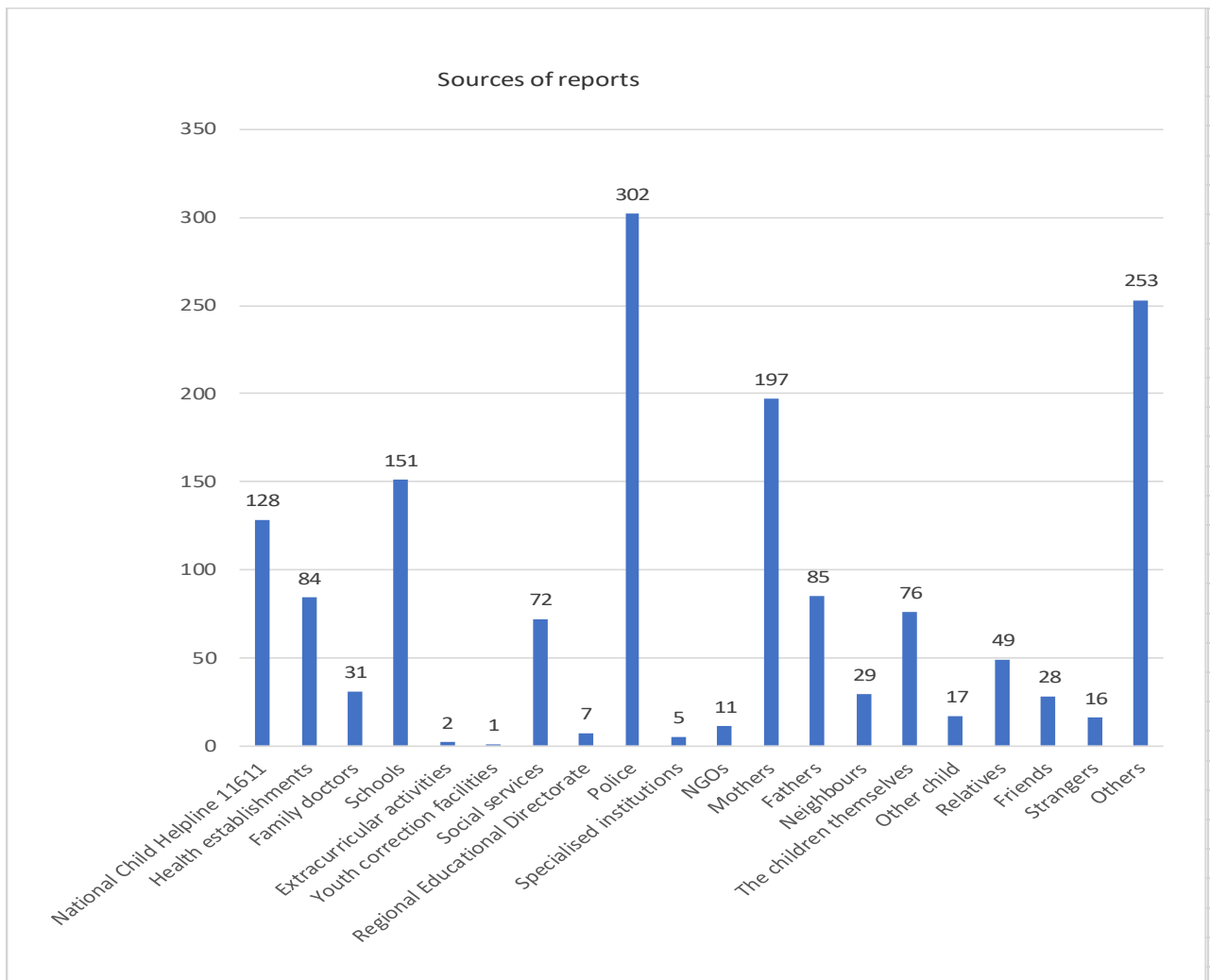
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<sup>32</sup> Information about the case was gathered from the focus group in Byala Slatina and after a thorough investigation by the relevant public institutions.

shocking cases of children being photographed and published on social media in breach of their rights.

In 2019, the main sources of child-at-risk alerts were the police, schools, mothers, and National Child Helpline. Alerts coming from neighbours, friends or family still account for a relatively small proportion of these reports. Children at risk and other children have also reported to the authorities themselves, an interesting phenomenon which could be the focus of a separate study.

*"The new generation of children was born and has grown up in a democratic society. We often get calls from children who are fully aware of their human rights and their rights as children. They are the bearers of new thinking and change. They aren't burdened by any particular ideological era. They aren't afraid to speak up if something isn't right. It's a new culture."* (Expert, National Child Protection Agency)



Source: National Child Protection Agency, 2019 (Sources of child at risk alerts)

## Effects on adults caring for children left behind

### *Reallocation of social roles*

The people caring for a child left behind are burdened with all the responsibilities of parents. In addition to providing for their good physical health and ensuring that they go to kindergarten or school, they are also responsible for the overall personal development of the child in terms of feelings, emotions, life skills, social behaviour, emotional / social intelligence, and self-regulation, etc. The grandmother or aunt assumes the role of mother, while the grandfather or uncle becomes the father. According to the respondents, bringing up someone else's child is a greater obligation and responsibility than bringing up your own. They must introduce their own rules for the relationship with the child and the child's relationship with his/her environment, which are likely to differ from those of the parents. This includes building up their authority before the child: while prior to the parents' departure the authority lay with the parents, it now lies with other people and acceptance of the new authority is a complex process and not always successful. In most cases there are no problems with the shifting of social roles, although they do occur. In traditional Roma families, the assumption of the role of parent by another adult or the extended family is not regarded as a big issue. The grandparents, as well as uncles and aunts living in the household, take part in bringing up the children quite naturally. From an early age, the children have equal emotional connections with all members of the extended family, and often their parents are not the only authority figures.

The interviewees and participants in the focus groups report behavioural deviations among some of the left-behind children with which the adults caring for them are unable to cope.

*"They're good kids and understand what is going on, they know where their parents are going and that they'll come back, so basically it's not a problem. In the entire neighbourhood at least one person in every household is abroad. And often both parents are abroad. However, there are a few children in this neighbourhood, and a few kids in the other neighbourhood too, who start doing what they want, and their relatives can't handle them - they stay out late at night, get in with the wrong crowd and get into trouble... now the latest drugs are available here... for example, you'd see one hanging about in the town square quite normally, and half an hour later he's completely out of it." (Expert from a non-governmental organisation, Peshtera).*

The physical and mental stress have a negative impact on the relatives caring for their nieces, nephews, or grandchildren. In most cases they are unable to work themselves as they are entirely

occupied with caring for the child entrusted to them. This often makes them dependent on money sent by the parents for the child's upkeep.

*"It was difficult for me, as I had to care for my own children as well. It was a huge physical strain. I had to adapt" (Woman, caring for her nephews, Knezha)*

### **Competences and uncertainty**

In its annual report on the implementation of the National Child Protection Programme, the National Child Protection Agency reported to the Council of Ministers that **"levels of awareness among children, their parents and carers about their rights, the protection system and the possibility of using social services have increased."** Although officially only a parent or guardian may care for a child, the Agency provides similar advisory services through the National Child Helpline, which often receives calls from grandparents for advice about bringing up and communicating with children, as generational differences have their effect on the provision of all-round childcare despite the wishes of the adults.

*"The helpline often gets calls from Roma parents abroad for advice on how to deal with their children if the grandparents can't control them." (Expert, NCPA)*

When the grandparents are in good health and have the money to meet the child's basic needs - clothes, food, and travel to school or kindergarten - the children are usually well cared for. However, when the adults are unable to provide proper care for the children, the children start to look after themselves, and often also care for the elderly people in whose care they were placed. Relatives who care for left-behind children succeed in physically providing for the children's needs to a certain extent.

In the case of teenagers and older children, grandparents **have difficulty setting clear boundaries and responsibilities** for them to observe. It is not unusual for minors to start drinking, smoking, taking drugs, etc. When a child is cared for by a younger relative - aunt, uncle, etc., the care is usually more comprehensive, and the risk of the child drinking or smoking is much lower. This applies particularly **if the family has other children of the same age.**

*"I don't treat my brother's children as his children, but as my own. I love his children as much as I love my own. I care for his children as much as I care for my own. That reassures him, and he trusts me completely to care for his children better than he himself would" (Woman, caring for her nephews).*

There are cases where older people caring for children apply to institutions for support but wish to remain anonymous.

*"Most of the calls from left-behind children come from small towns and villages. Grandmothers also call for help with dealing with children - 'He goes out and doesn't come home', 'He smells of alcohol', 'What should I say to him?', etc. They also get calls from parents abroad whose children are here asking what to do - 'We send him money, he's fine, but he's not coming home at night?' We then refer these concerns to the Child Protection Department so that they can provide support and be aware of the situation. (Expert, NCPA)*

### **Financial difficulties**

Financial difficulties are a problem for almost all the guardians who took part in the study. In no cases were specific measures by social workers or other institutions reported, and only in one case (in Peshtera) a grandmother caring for a child with parents abroad said that the child's parents had managed to arrange for her to receive child benefits in their place. She is unable to say exactly what steps they took and how they "managed", but she mentioned "power of attorney" a few times. (Having power of attorney does not make the grandmother legally entitled to receive the child benefit. In cases in which benefit was being paid prior to the departure of the parents, simply passing the relevant authorization code to the new caretaker can allow her / him to pose as the parent. The authorities may or may not turn a blind eye to this practice.)

The participants in the focus group discussion in Rakitovo said that they received no assistance at all, neither from the authorities nor from the parents, for several months after the departure of the parents. At the same time, they themselves are unable to work because of the constant care and attention demanded by the child: taking them to school, picking them up in the afternoon, housework connected to caring for the child, etc. To this, they add reference the lack of job opportunities in the town and the surrounding villages. To work would involve commuting to the larger towns in the region on using a threadbare public transport system which does not coincide with the time they need to be with the child.

*"My granddaughter is with me, she's a star pupil in 5<sup>th</sup> grade. I manage to bring her up by myself, she doesn't want for anything, I don't let her to help me or do anything else. The main thing is for her to do her schoolwork. It's hard; sometimes her mother sends money when she can. There's no way I can go to work. I worked in Velingrad for 15 years, and then I did a few other jobs, but now with the girl it's impossible. I take her to school at 8 in the morning, then I go home and clean the house and cook and do this and that, and at 3-4 I go and pick her up. Where am I supposed to start working if there's no job anyway? And what employer will take me on for a few hours a day?". (Grandmother caring for a child whose parents are working abroad)*



Older people caring for children say that they find it difficult to meet the basic needs of the child, as they are often living on a single pension. It is also not uncommon for babies to be left in the care of grandparents after a divorce, without the grandparents being prepared or receiving any kind of social services or assistance.

*"She's still very small. She needs someone around her all the time. To dress her, feed her, clean her. My wife used to care for my granddaughter. But she died, so now I'm doing it. It's not easy on a single pension. And she's just a kid - she wants what the other kids have."* (Grandfather caring for his granddaughter, Dolna Studena)

*"My husband needs medicine, I need medicine, and so does the child. It all costs money. We often resort to payday loans, and then repay them with money the parents send from abroad. What can I do? He wants kid's things - bananas, sweets, food... when you've taken on his care, you can't leave him".* (Grandmother caring for her grandson with special educational needs, Knezha)

People who care for children usually rely on the parents to provide maintenance. They often buy things on credit at the local stores.

*"Usually, a month or two goes by before the parents get their first wages and can start sending money over. But until then the child still has needs - especially if he's at school. I managed to get through this period without money from the parents, but many people can't and that reflects on the children."* (Woman caring for her nephews, Knezha)

### **Conclusions and recommendations**

The administrative requirements and regulations about guardianship are a complex matter, and most parents have no experience in dealing with the labyrinthine requirements and formal procedures of the bureaucracy. To facilitate the process of providing access to services for children and their legal representatives, it would be beneficial to all parties that institutions show patience and understanding when they are approached for help in this regard. It would be even better if they could draw up and provide information brochures for their clients, in accessible language, and explain the processes and steps that need to be taken to resolve all matters the parents need to sort out around their departure, to ensure the welfare of the child during their absence. This information could be standardized and distributed by all relevant institutions to interested parents.

Before starting the fieldwork and preparing the information materials, it would be beneficial for officials at the relevant departments, along with non-governmental organisations working in the community, to be trained and informed so that they can provide proper advice and assist parents

and guardians in matters concerning the child's representation during the mother's and father's absence. For this, it is important to have a training programme in place designed by experts with experience in the field and experienced in working with institutions and vulnerable communities.

For the purposes, an additional "Door to Door" campaign could be a successful option, particularly in the run-up to periods when mass migration for work abroad is expected.

## **Institutions**

The analysis of the data gathered for this study shows that there are no changes or measures implemented at governmental level aimed at resolving the issues of the children left behind. No information is being collected, there is a lack of funding and human resources, and coordination among institutions is ineffective. Based on this study, the following recommendations can be made:

- Improvement of the legislative framework to allow central and local government funding of specific support activities and services aimed at children left behind and their carers;
- Development of a simplified fast-track mechanism enabling local Child Protection services to allow adults caring for children, with a notarised power of attorney from their parents, to represent the interests of left-behind children before institutions as an alternative provisional option in place of guardianship, without this affecting parental rights or putting the children themselves at risk;
- **Creation of an integrated information system** in which all actors in the Coordination Mechanism (described above) can enter information, including statistics, to show the engagement of each institution in each individual case, with more clearly defined functions and responsibilities for municipal Children's Commissions. In places where there is a significant number of children left behind, the municipal Children's Commissions should plan appropriate actions to support children and the persons caring for them;
- When a registry of children left behind has been set up, children deemed to be at risk should be assessed individually and a child protection action plan drawn up for each child. For children who are being brought up in reasonable living conditions and who are not at risk of hunger, the following should be monitored: their emotional state; performance at school; involvement in school activities; whether they communicate regularly with their parents; how they communicate with the people caring for them; the availability of an adult they can confide in and share their problems with; and others;
- Partnerships and collaboration should be encouraged among municipal authorities, doctors, teachers, non-governmental organisations, the representatives of different communities and other interested parties in the framework of the municipal Children's Commissions;
- A **training programme** aimed at interested parties at local level incorporating the latest trends and current issues around children left behind and their carers should be drawn up;

- Integrated services should be set up for children whose parents are abroad and for the adults caring for them, while existing services such as school psychologists, educational mediators, health mediators, etc., should have a proactive function about children left behind and those caring for them;
- The child protection system should provide adequate levels of legal protection and help parents in transferring guardianship in a way that gives the children access to services and support;
- When children are assessed, the absence of a parent, including a parent living and working abroad, should constitute one of the vulnerability criteria, while the legislative framework should be changed so that children left behind have access to all services for which they are eligible<sup>33</sup>;
- Local community information campaigns should be implemented to provide information about the requirements of parents when working abroad, the potential risks and ways to avoid them, granting representative powers and access to services for children when the parents are absent, and other related questions;
- Changing the regulations to allow the parent to declare to a teacher, doctor, the police, social workers, mediators, etc., that the child will be cared for another person for a specified period of time, which would set in action a multidisciplinary team to support the family or person in question without starting a child removal procedure, but instead to give the carer enhanced parental capacity, while at the same time directing them to social services and benefits;
- A fundamental principle of the Law on Child Protection is that a child should grow up in a family environment. At the same time, however, it restricts the definition of family to two parents. **It would be useful to develop the framework of a family environment** which can be used in the field by social workers considering community cultural norms. With increasingly globalised local communities, childcare is informally taken over by other adults who are members of the extended family. This does not necessarily mean that the child is at risk, particularly when it is done with the knowledge of the parents. The carer's suitability to look after the child should be regularly assessed and relevant guidance issued.

### **From the parents' perspective**

Before deciding to go and work abroad, parents should carefully weigh up the opportunity against the possible consequences of leaving: will the investment in leaving pay off? What are the working and living conditions? Will the people to whom the child is entrusted be able to provide good care of them, meeting their everyday needs and providing the necessary care, education, supervision, inculcation of good habits, performance follow-up at school, etc.?

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<sup>33</sup> One of the social workers interviewed said that if the parents are outside the country there is no way of supporting them with child benefits.

The effects of separation (also in cases of long periods of absence) on the parents as well as on the child should be considered.

- *Financial investment*

Going abroad means that the parents must have sufficient funds to invest, which vary from case to case: travel expenses, food, documents (at the least a valid ID card or foreign passport). Sometimes, depending on the destination country, they also need a work permit. In some cases, employers pay for some or all the expenses involved in travel and initial living expenses until they receive their first pay packet. In other cases, the workers are expected to cover their own initial living expenses, with nothing received from the employer. There are also cases (recalled by participants in the focus group discussion in Rakitovo) in which the employer pays the initial costs but then sets them off against their pay, because of which the workers only get their first "full" pay packet months after starting work. In other words, during the first months of work abroad, the employer deducts a large proportion of the wages to cover their outlay on recruiting the workers. During this initial period, they are unable to send money to the people caring for their children and ensure their children's welfare, forcing the latter to live in deprivation.

Once they have considered all these factors and believe that it is worth going, people can proceed to the second stage of decision-making.

- *Finding a suitable "guardian"*

When considering leaving a child behind, parents must consider a number of matters: Is there anyone the child can live with? Are they in a fit state to fully care for the child - to provide suitable living conditions, look after their health and emotional state, help with homework and out-of-class activities, represent them where necessary, etc.? In most cases, these people are close family members - the mother's or father's parents, the siblings of the mother or father, and - in very rare cases - more distant relatives. It should also be noted that a prospective guardian can also refuse to care for a child. Taking on the role of a surrogate parent is not easy, and although information about such refusals was not available at the time of the study, it remains a potential scenario. The decision has to take account the personal and working life of the person in whose charge the child will be left: capacity as a guardian, domestic conditions, employment, economic status, authority, etc. For example, a grandmother who is looking after a grandfather who is wheelchair-bound and needs constant care and attention, cannot be expected to properly care for one or even several children (A case that was observed in Rakitovo).

- *Ensuring access to children's services when the parents are absent*

There are no specific procedures and steps in Bulgarian law or among the relevant institutions which allow parents to arrange for the proper development and welfare of their children in their absence.

The best variant is to seek the services of a lawyer with experience in the field and who can help arrange all the legal details regarding representation of the child in the absence of the parents.

If this is not possible for some reason (for example, there is no local lawyer or the family cannot afford the lawyer's fees), the parents along with the future "guardian" must organise the relevant activities themselves to obtain the necessary documents.

In the first place, an appointment with the social services (the local offices of the Social Welfare Agency and National Child Protection Agency) is required. Here, the officials will explain to the parents and guardian what needs to be done so that the guardian can represent the child in their absence in full capacity.

These meetings should be held also with the head of the school or kindergarten attended by the child and with the family doctor. They will be able to tell the parents about the steps required to ensure that the child has access to their services.

- *Preparing a child for separation from the parents due to work abroad*

According to available research and publications, and according to information collected during the study, the absence of parents has an impact on the children. In most cases, the results are not negative, but there are reports of truancy and sometimes expulsion from school. Drug abuse is another potential problem. Some children occasionally present physical symptoms - a fever for several days after the parents' departure, becoming introverted, manifesting social isolation, aggression towards their peers etc. Some guardians also report alienation from the parents, with children not wishing to talk to them even though the parents call every day, or even several times a day.

For this reason, it is important for the children to be prepared for the separation from their parents in a manner suited to the age and social and mental development of the children so that they can be certain that their absence will not harm the child. The best option is to consult a psychologist, even when the parents think it unnecessary.

In an ideal situation, parents should only take the decision to leave when they are sure that they can afford it, when they are sure that they have chosen the right person to care for their children and when they are sure, after completing all the formalities to allow continued access to services by their child, that their absence will not affect the child's physical or mental health.

The administrative procedures are time-consuming, and planning should start as early as possible. The third and fourth steps outlined above are almost always ignored, leading in the long run to problems with children's access to services, and often negative effects on their psychosomatic health.

The issue of children left-behind is not exclusively driven by poverty and / or lack of rewarding work opportunities in Bulgaria. Numerous reports on education and economic development refer to a shortage of people entering the workforce with the requisite skills-set. It's partly attributable to failures in the education system but it also relates to the "brain drain" caused by the fact that many people with saleable skills leave the country. This leads us to the fact that left-behind children can also be found among fairly prosperous families who have the capacity to invest in Bulgarian real estate (upgrading village property, buying apartments for the sake of renting etc.). Indeed, this may be one of the reasons why the issue of children left behind is overlooked or, even, suppressed. For some, it is part of a very lucrative lifestyle and it helps sustain the markets. Notwithstanding, if we acknowledge the scale and dimensions of the economic imperative driving migrant workers (lucrative opportunities for professionals and the amelioration of material poverty for a growing number of families) it must surely accentuate the need for a coherent, integrated response to ensuring the wellbeing of left-behind children.