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# TAKE ME HOME!

SHORT ANALYSIS ON THE ADVANCEMENT OF THE  
PROTECTION OF ABANDONED CHILDREN IN KOSOVO  
(0 - 3 YEARS OLD)

April 2014

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(0-3 YEARS OLD)

COALITION OF NGOs FOR CHILD PROTECTION  
APRIL 2014, PRISHTINA



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- Center for Social Work in: Prishtina, Gjakova, Prizren, Mitrovica, Ferizaj and Fushë-Kosova;
- Basic Courts in: Prishtina, Gjakova, Prizren, Mitrovica and Ferizaj;
- University Clinical Center of Kosovo - UCCK;
- Foster care families;
- Non-Governmental Organizations;
- International agencies.

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Respectfully,  
  
Blerta Perolli – Shehu  
President  
Coalition of NGOs for Child Protection

## Abbreviations

<b>MDHSW</b>	Municipal Directorate for Health and Social Welfare
<b>DSPF</b>	Department of Social and Family Policies
<b>CRC</b>	Convention of Child Rights
<b>KOMF</b>	Coalition of NGOs for Child Protection
<b>LLGF</b>	Law on Local Government Finance
<b>MH</b>	Ministry of Health
<b>MLSW</b>	Ministry of Labor and Social Welfare
<b>NGO</b>	Non-Governmental Organizations
<b>CSW</b>	Center for Social Work
<b>UCCK</b>	University Clinical Center of Kosovo
<b>CSMTC</b>	Center for Short and Mid-Term Placement for Children in Need in SOS Children's Villages in Kosovo
<b>SOS</b>	SOS Children's Villages in Kosovo
<b>UNICEF</b>	United Nations Children's Fund

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## Executive summary

The analysis on the advancement of the protection of abandoned children in Kosovo aged 0-3 years old is a result of the need to identify obstacles in the child protection system and challenges faced by the institutions that have a mandate to look after the abandoned children; to identify the degree of the institutional response to the needs of children and how they observe the best interest of the abandoned children. The issue with long-term stay of abandoned children in hospital premises and in alternative shelters continues to be cause of concern because there are no substantiated reasons from the officials and it is against the best interests of the child.

This analysis focuses on the assessment of the three main pillars that provide protection for the abandoned children (focused on the alternative form of protection), such as: the legislation, the functioning of the child protection system and a general overview on the development of abandoned children aged 0 – 3 years old during their stay in alternative forms of protection.

While drafting the analysis we have taken into consideration the viewpoint of the institutions mandated to provide care for the abandoned children such as: the University Clinical Center of Kosovo, 6 Centers for Social Work, Ministry of Labor and Social Welfare – Department of Social and Family Policies, 5 Basic Courts, foster care families for children without parental care, community-based family care, international agencies and NGOs.

Based on the findings of this analysis it results that there is a pronounced lack of work in prevention of abandonment, failure of inter-institutional cooperation, lack of clarity about legislation and procedures, negligence of timeframes and legal deadlines, overload and a large number of cases, lack of multi-disciplinary training, often professional exhaustion, cases with incomplete required documentation, and a small number of foster care families.

The main problems related to the abandoned children lie in the delays of the procedures to resolve their legal status and in the quality of the services provided. This, as well as many other facts presented in this analysis indicates the reason of the long and unnecessary stay of children in residential care, community or foster care families.

Fortunately, Kosovo is one of the few South-East European countries that has no orphanages for children and has included the alternative forms of protection in the framework of the legislation in force. However, this analysis indicates a situation that it not always favorable in relation to the resolution of the status of the child or to provide alternative forms of protection that meet the child's best interests.

Given the real need to concentrate in the best interest of the abandoned children and to discourage lengthy period of unresolved status of the child, this analysis focuses solely on the main issues where the child protection system stalls. Without denying the work being done by the public institutions and the NGOs, the problems identified by this analysis are described below. They have been analyzed by the working group and are accompanied by concrete recommendations for the context in Kosovo and in line with the best interests of the child, aiming to improve practices and advance services in favor of the protection of abandoned children.



## Work methodology

The main objective is to provide an analysis of:

- I. **Legislation:** a summary of legislation on the protection of the abandoned children and children without parental care, with focus on alternative ways of protection;
- II. **Functioning of the child protection system:** the reaction of the child protection system in cases when children are abandoned, the enforcement of the legislation, respective procedures, inter-institutional work, and the obstacles in the system with focus on ensuring protective form of adoption;
- III. **Health and psychosocial-social state:** a general viewpoint of the health and psychosocial-social state of abandoned children in Kosovo, and the meeting of standards for their wellbeing and development.

## Literature used to draft this analysis:

- Constitution of the Republic of Kosovo;
- Kosovo Law on Family No. 2004/32;
- Law on Social and Family Services No. 02/L-32;
- Law on Social and Family Services as amended No. 2011/04-L-081;
- Convention on Child Rights – CCR;
- Minimal standards for social services;
- Various institutional reports from various agencies on family or residential shelters for the children<sup>1</sup>.

## Geographical coverage:

The interviews and questionnaires were carried out with representatives of institutions mandated to protect the abandoned children in 6 municipalities: Gjakovë, Prizren, Ferizaj, Mitrovicë, Prishtinë and Fushë Kosovë.

## Questionnaires conducted with:

- Doctors of the Gynecology Clinic at UCCK;
- Social worker at UCCK;
- Nurses of the Gynecology Clinic at UCCK;
- Heads of social and family services at Centers for Social Work;
- Officials of the Department for Social and Family Policies;
- Foster care families;
- Basic Court judges;
- NGOs;
- International agencies.

<sup>1</sup> <http://www.osce.org/sq/kosovo/71206?download=true>  
Kosovo Agency of Statistics – KAS

R. L. Altman, J. Canter, P. A. Patrick, N. Daley, N. K. Butt dhe D. A. Brand (2011). Parent Education by Maternity Nurses and Prevention of Abusive Head Trauma. *PEDIATRICS*, 128 (5), e1164-e1172. Doi: 10.1542/peds.2010-3260, <http://pediatrics.aappublications.org/content/128/5/e1164.full.html>

# Chapter 1

Summary of the legislation on  
abandoned children in Kosovo

## 1.1 Legislation

Protection of abandoned children and ensuring their welfare within a family is guaranteed by the International Convention on the Child Rights and the legislation in force. The Convention on the Child Rights (CCR) guarantees that when a child is denied either temporarily or permanently the family environment, or when it is not in the child's best interest to remain in that environment, he/she is entitled to special protection and assistance by the state. The party states ensure alternative care for the child in compliance with the internal legislation<sup>2</sup>. CRC envisages that the "best interest of the child will be the primary consideration" in adoption procedures, and the adoption of the child shall be "authorized only by the competent authorities" that will decide "in compliance with the applicable law and procedures".

Due to its political status, Kosovo has not yet ratified the CRC. However, the domestic legislation is based on international instruments of the protection of abandoned children. The legislation in force in the Republic of Kosovo regulates the protection of the abandoned children and the alternative forms of protection, mainly through the Law on Family No. 2004/32, the Law on Social and Family Services No. 02/L-32 and the Law on Social and Family Services as amended No. 2011/04-L-081. Kosovo's Law on Family is a basic law, which regulates the protection of children without parental care and the ways of protection. For purposes of this analysis, we present below the main issues of the law, with regards to the alternative ways of protection especially to adoption of the abandoned children and the related issues.

The Law on Family determines the Guardianship Authority to carry out the general and continued supervision on the exertion of parental rights and duties<sup>3</sup>. The legal provisions in the framework of this law begin at the time when the child is born and his parents are unknown, and run through the completion of the procedure on application of any of the special protections for children without parental care, including adoption. The basic ways of legal and family protection of children without parental care pursuant to this law are: guardianship, family shelter, residential shelter and adoption<sup>4</sup>. The Law on Family places special emphasis to the regulation of adoption, guardianship and organized placement in a family as special ways to protect children without parental care.

The Law on Family determines that a child without parental care is considered a child whose parents are not alive, are unknown or missing; the child whose parents for any reason, either temporarily or permanently do not carry out their parental duty or care<sup>5</sup>.

With regards to the adoption as a way of protection, the competent authority for adoption is the Basic Court; however, the Court can ask for the advice of the Guardianship Authority while the decision on adoption is being taken<sup>6</sup>. With regards to the timeframe, the legal provisions determine that to adopt a child, the consent of biological parents is required, and the consent cannot be given before the child is eight weeks old.

With regards to the adoption procedures, the Law on Family mainly envisages legal provisions on the role of the court and the judicial procedures on adoption; the Guardianship Authority based on the current provision is determined as an advisory authority for the Court in relation to adoption, whereas the law determines the guardianship authority to carry out a general and continued supervision on the exertion of the parental rights and

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<sup>2</sup> Article 20, CRC

<sup>3</sup> Article 146, Supervision by the Guardianship Authority, Law on Family of Kosovo

<sup>4</sup> Article 157, Principles of child protection, Paragraph 2, Law on Family of Kosovo

<sup>5</sup> Article 156, Children without parental care, Law on Family of Kosovo

<sup>6</sup> Article 161, Competent authority for adoption, Law on Family of Kosovo

duties on children without parental care<sup>7</sup>.

The court is entitled to collect data and other evidence from the Guardianship Authority, from the social services and other experts in the area of child care on adoption conditions<sup>8</sup>. A child defined as without parental care by the competent authority may be adopted by persons who seek to adopt and are registered to the relevant authority that is authorized to initiate the procedure, i.e. the Center for Social Work. The consent should be declared to the Court and it becomes final at the time of its submission. No consent is sought by the spouse who, by Court decision has lost custody or ability to act, or whose place of residence is unknown for more than one year<sup>9</sup>. A parent's final consent is reversed if the child is not adopted within three years from the date when the consent became effective<sup>10</sup>. Should the court establish that the conditions for adoption are met, it shall establish the adoption<sup>11</sup>.

The Law on Family regulates also the organized placement with a family, where children without parents and children without parental care are guaranteed placement in a family until they become capable of life and independent work. After children are placed in another family, the Guardianship Authority undertakes forthwith all necessary measures to be addressed and in the future avoid any circumstances that render necessary the child's placement with the custodian family. The legal provisions also guarantee the placement of children with special needs, neglected children or children with disability<sup>12</sup>. The Law on Family in Kosovo regulates the competences and purposes of the guardianship of minors.

Apart from the Law on Family of Kosovo, the Law on Social and Family Services is considered to be an additional law of the Law on Family, which specifies in detail the role of social services in realizing the alternative forms of protection for children who are abandoned or without parental care.

This analysis indicates that the biggest work, which requires more time, is the social and administrative work conducted by the CSW to resolve the status of the child or the work on developing procedures for forms of protection including adoption. At the same time, delays in resolving the status of the child seem to be the main reason in applying the protection form of adoption, when it is assessed that the family reunion is not possible.

Deficiencies noticed in the legislation consist of the lack of clarity regarding the deadlines set for resolving the status; the only determined ones concern the consent given by parents for abandonment and the deadline when this final consent is reversed, in case the child cannot be adopted<sup>13</sup>. Based on the findings of this analysis, it stems that the CSWs have lack of clarity with regards to the legislation, procedures and deadlines, and therefore the practices of social work vary in each municipality depending on their interpretation (see the findings under CSWs).

It is more than necessary to set deadlines for the social workers with CSWs, either through amending and supplementing the primary legislation, or through the establishment of the secondary legislation by the MLSW. Practices from other countries indicate that the quality of the social work is much greater when social worker is performed by deadlines determined based on the standards and to the best interest of the child. With regards to the adoption procedure, in practice the CSW plays a crucial role in achieving the form of protection – adoption due to the

<sup>7</sup> Article 146, Supervision by the Guardianship Authority, Law on Family of Kosovo

<sup>8</sup> Article 182, Procedure to initiate the request for adoption, Paragraph 3

<sup>9</sup> Article 169, Consent of parents, Law on Family of Kosovo

<sup>10</sup> Article 172, Statement of consent, Law on Family of Kosovo

<sup>11</sup> Article 186, Paragraph 1, approval of the application for adoption

<sup>12</sup> Article 204, Decision, Law on Family of Kosovo

<sup>13</sup> Article 172, Statement of consent, Law on Family of Kosovo

fact that the individuals interested in adopting a child without parental care file the request with the Court. Then, the court forwards the request to the CSW to give its professional assessment on the family. Therefore, the CSW conducts actions including: preparation of the file for adoption following the resolution of the legal status of the child, leading of the procedure for the assessment of the suitability of the adoptive parents through interviews with potential parents, the assessing meetings with the potential parents for adoption, training of potential families for adoption etc. Another competence of the CSW is to supervise the probation/pre-adoption period determined by the court. The child's best interest is mentioned continuously as an alternative form of protection, however there is no legal provision to define the criteria as to what the child's best interest implies/consists of when a decision is made on any form of protection, including adoption. It is more than necessary to put in place criteria/requirements to determine the child's best interest in the case of decision on any of the alternative forms of protection.

On the other hand, the Law on Social and Family Services envisages a panel<sup>14</sup> for placement of children, a panel that is not envisaged by the Law on Family. The panel has the following functions: it gives an opinion on the suitability of the sheltering parents; it gives an opinion on the placement of children in shelter families; it gives an opinion on the placement of children for adoption and on the suitability of the potential adoptive families. The panel on the placement of children keeps a register of individuals who are approved as adoptive parents after the review of the assessments and research done on its behalf by a specific official of the social services<sup>15</sup>.

According to the legal provisions, the panel as a body should be an oversight authority for the CSW which GIVES an opinion on the local adoptions, however in practice, in certain areas, this Panel has executive competences due to the fact that the documentation collected for the abandoned children by the CSW should be initially approved by the panel, and then submitted to the Court. Also, the panel approves the adoptive parents' right after reviewing the assessment and the research conducted by a specific official of the social services. Based on the provision and practice, it is not clear whether this is an advisory authority, a supervisory authority, or an authority with executive competences for the CSWs regarding the abandoned children.

According to the current provisions of the Law on Family and the Law on Social and Family Services, the chain of the system comprising of the CSWs, Panel (MLSW) and the Court constitutes of the responsible institutions for the development of procedures and decision making on the alternative forms for the abandoned children. Every legal vacuum, lack of clarity even regarding the understanding of the legislation on each party, of the legal deadlines, documentation and procedures influence directly on the quality of the services and the forms of protection provided to the abandoned children.

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<sup>14</sup> Members of the panel are representatives of: DSW, CSW and NGO

<sup>15</sup> Article 10, Paragraph 10, Law on Social and Family Services as amended No. 2011/04-L-081



## Chapter 2

An analysis of the system for  
the abandoned children



## 2.1 General findings

In 2013 a total of 52 children<sup>16</sup> were abandoned in Kosovo, whereas the number of cases involving abandoned children brought forward from the previous years was 32<sup>17</sup>. The abandoned children have gone through and continue to be under the protection and care of the Kosovo institutions, where they are sheltered and rehabilitated until the family reunion or their adoption. The hospital, the Center for Social Work - CSW, residential center, community-based care, foster care families, biological family, Panel, Police, Court and the adoptive family are the "hands" or the "system" through which an abandoned child in the territory of Kosovo may go through.

**Table 1**

Nr.	Municipalities	Abandoned children by municipality in 2011 (age group 0-3 years old)	Abandoned children by municipality in 2012 (age group 0-3 years old)	Abandoned children by municipality in 2013 (age group 0-3 years old)
1	Gjilan	2	6	9
2	Prishtinë	7	8	9
3	Malishevë	4	4	8
4	Gjakovë	1	3	7
5	Rahovec	1	2	7
6	Lipian	2	2	6
7	Ferizaj	9	6	5
8	Drenas	2	3	4
9	Suharekë	1	2	3
10	Pejë	1	3	3
11	Mitrovicë	5	3	2
12	Vushtrri	2	2	2
13	Kamenicë	1	/	2
14	Istog	2	1	2
15	Kaçanik	/	2	2
16	Prizren	3	4	2
17	Shtime	2	/	1
18	Fushë Kosovë	/	2	1

Source: Department of Social and Family Policies, Ministry of Labor and Social Welfare

The Gynecological Ward within the UCCK, as any other gynecological ward in Kosovo, is a health institution that provides holistic care for the abandoned children until the Guardianship Authority takes them to shelters them in any of the alternative forms. After the adequate protection measures are taken, the Guardianship Authority is obligated to complete the file and send it to the Panel for approval. After the Panel gives its approval, the CSW submits the case to the Court in order to resolve the status of the child. Below are the findings from the system.

<sup>16</sup> Data obtained from the Kosovo Statistics Agency

<sup>17</sup> Children of Kosovo aged 0-18 years old. Data obtained from the Kosovo Statistics Agency

## 2.1.1 Findings from UCCK Prishtina

In spite of the work being done at the gynecology ward, based on the interviews conducted there we have the following findings:

- **The duration of the stay of abandoned children at the hospital is not always in compliance with the regulation or the standards.** The maximum stay of abandoned children at the hospital is 21 days from their date of birth, this being a timeframe determined upon by agreement between the MLSW and MH. According to the social worker at the hospital, this agreement is not always respected. The seasonal holidays (winter or summer) and the unsuitable temperatures are the causes for violating this agreement resulting in children staying for longer time in these premises. Furthermore, the staff of the gynecology ward reported the following cases for the period of September 2013, where out of 8 children, 5 remained more than 21 days and only one of them for health reasons!

Table 2

Gender	Duration of the abandoned newly born stay in UCCK, September 2013					Total
Female	20 days (old twins)	1 month and a half				3
Male	10 days	23 days	1 month	1 month and twenty days	2 months and a half	5

Source: University Clinical Center of Kosovo - UCCK, September 2013

- **No work is done at the gynecological clinic to prevent child abandonment.** Most of the mothers with potential for abandonment initially go the hospital (for abortion or check out the premises). At the moment they arrive they do not receive any intensive and holistic service which aims to prevent abandonment. The hospital does not have any staff to work with the social worker in holistic programs to prevent and advise mothers with potential to abandon the babies.
- **Contradictory data provided by the mothers at the hospital constitute one of the justifications that influence on delays of resolving the status of the child.** Often, the documentation at the hospital has issues, the data from the registration and the data at the gynecology ward are contradictory, and often confusing. The UCCK social worker shows the cases when there has been distortion of information left by mothers at the hospital. This is done to cover their tracks, because of the personal and family mentality, and the social pressure under which mothers find themselves.
- **The hospital staff does not keep in order and does not provide social workers with data or prenatal reports.** Lack of prenatal reports on the history of pregnancy of the mothers has consequences on the completion of information and emotional or health symptoms that may appear. In Kosovo there are mothers with potential to abandon their babies, these are women/girls coming from very challenging environment in the social, economic and emotional aspects, and their pregnancy is associated with high levels of stress, abuse



of harmful substances, violence, malnutrition, exposure to inadequate environments or high family, cultural and high family pressure that result in a aggravated health and cognitive situation for the baby before is even born.

- **The hospital runs on limited human resources,** now it has become possible for every intern who is specializing to become a medical doctor will have set working hours at the hospital to look after abandoned babies. The staff working with the babies would consider this decision an assistance for their human resources. The nurses at the gynecology ward say that children receive maximum care but again this care cannot be individual due to the small number of staff working with abandoned children.
  - **Confidentiality of the staff working with the abandoned children is a key element to avoid a series of dangers threatening the protection of the abandoned child,** however the data obtained through the interviews with the hospital staff (one doctor and 3 nurses) and the social worker, when asked whether it happens that they are asked to give inside information on the child to a third party, they have indicated competence in their work. However, according to other related people they responded that they do not guarantee the ethical rule in this aspect is upheld.
  - **Lack of coordination and inter-institutional responsibility,** is noted in the fact that the hospital does not issue written releases to the CSWs on cases of abandoned children or the cases with high potential risk for abandonment. This causes lack of inter-institutional responsibility.
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## 2.1.2 Findings from SOS Children's Village

To protect children without parental care, the social services are obligated to select the most suitable form of protection for their wellbeing which is in the best interest of the child. Social services are obligated to explore all possibilities for the child without parental care to be sheltered in a foster care families. Only in cases when this is not possible then they should look into the possibility of temporary residential or community shelter.

Community based residential shelter and foster care families in Kosovo is provided at SOS Children's Village, where in October 2013 a total of 24 abandoned children were sheltered. From the interviews there we obtained the following data:

- **Abandoned children the majority of whom are healthy and sound, as well as children coming from the hospital of children with health/physical problems are sheltered at the SOS Children's Village.** A considerable number of babies placed in CSMTCC are premature babies (around 31/32 weeks), who suffered from the syndrome of underdeveloped lungs (RDS) and intracranial hemorrhage (HIC gr.II - III). Other frequent cases are underweight children, born sole deformities, born heart anomalies, palate (chielopallatoschosis), born malformation of limbs, strabismus etc.
- **The lengthy stay of children in SOS Children's Village is one of the main problems.** Based on the agreement signed between the MLSW and the SOS Children's Village the maximum duration of children's stay there should be up to 6 months, with the exception of specific cases and at the request of the social worker it may continue up to 1 year. However, unfortunately there are children who remain longer in the premises of SOS Children's Village. Their stay for more than six months results in children growing up in the same environment with newborn babies from outside. This kind of living with younger ages for children aged 1-3 years old causes developmental regress, making them imitate the speaking and actions of younger children. Therefore, based on the children's best interest, SOS Children's Village are obliged to transfer the babies from CSMTCC to long-term community based care.
- **Lack of responsibility on the part of CSWS for abandoned children sheltered by the SOS Children's Village.** Visits from the social workers are rare, not on regular monthly basis as envisaged by the minimum social services standards, and even months may pass before they go and visit the children. Representatives of this organization stated that they never received any regular monitoring on the part of the CSW representatives or any detailed inspection by the MLSW. According to SOS Children's Village the placement of children in their premises should not create a 'comfort zone' for the social workers, thus resulting in children remaining there for longer periods of time, which constitutes a violation of the children's rights.
- **Lack of inspection on the part of MLSW,** for services offered by the NGOs and the CSWs for the abandoned children under institutional protection. So far, there has been no inspection process by the MLSW, although this competence is exerted based on the Law on Social and Family Services.

### 2.1.3 Findings from foster care families

The UN Convention on the Rights of the Child clearly emphasizes that all children, including abandoned children, should be enabled to live in families. The bylaws determine that the foster care families<sup>18</sup> offering shelter for children without parental care and who are not related to the child receive 150 EUR per child per month. This amount differs in cases of children with disabilities sheltered in a foster care families where the families, on behalf of the care they provide, receive 250 EUR a month per child. These foster care families are trained by the professional staff of the CSWs and other organizations that provide social services, and one of the most involved ones is Amici Dei Bambini.

From the interviews with representatives of these families and of the Amici dei Bambini organization it results that:

- **Foster care is not extended in all municipalities of Kosovo and does not meet the requirements for sheltering of children without parental care.** Foster families exists only in 22 out of 38 municipalities in Kosovo and the number of foster care families is 43<sup>19</sup>.
- **Payment for children in foster care families regardless of their age and various needs is the same and insufficient to cover child's care expenses.** There is no grading of payments for foster care families based on the age and needs of the children, the only payment difference is for families that shelter children with disabilities.
- **Foster care families in Kosovo are not prepared adequately to look after children with various needs or from different categories.** Apart from the lack of foster care families, a consequence of inadequate preparation of foster care families to look after children with various needs is that CSWs consider residential sheltering as the best alternative in specific cases.
- **Foster care families do not have any social or health benefit as foster care families and this endangers their sustainability.**
- **More often children go to foster care families from the hospitals with specific health problems.** Foster care families that were interviewed for this analysis manage to verify easily that when babies arrive from the hospitals they have deformities of the head bone, neck and have skin infections, especially on the neck and between legs.
- **Foster care families are unable to assess the role of the CSWs in child care.** These families receive most of training and psycho-social support by the organization Amici dei Bambini, which in collaboration with the CSWs managed to include psychologists to work as a multi-disciplinary group with the Guardianship Authority.

<sup>18</sup> A foster care families is every family in Kosovo contracted by the state to provide shelter and protection and alternative care for children without parental care

<sup>19</sup> Data from Amici Dei Bambini and confirmed by the MLSW

## 2.1.4 Findings from Centers for Social Work - CSW

The Center for Social Work is a professional public institution at the municipal level that is competent to protect citizens in social need and is responsible for protecting the interests of the child. Once the case of a child abandonment is referred by the hospital, community, police etc., the competent CSW should make the case attestation within the same day. The CSW is responsible for managing the child's case, for making the initial assessment and undertake all measures and actions to protect the abandoned child, including ensuring the temporary shelter after the child is referred by the hospital, appointing the temporary guardian, registering the child in the civil registry office within the deadline of 30 days, drafting the care plan, conducting all activities for a family reunion between the child and his/her biological family, and when this is not possible, place the child in alternative forms of protection. Before taking decisions should consult with the legal guardian of the child.

Adoption is one of the basic forms of protection for abandoned children, when the child cannot return to his/her biological family, and offers the child a permanent legal family with the same rights and obligations that exist between biological parents and children. In the adoption procedure, the CSW plays a key role in realizing this form of protection due to the fact that persons interested in adopting a child without parental care should file the request at the court. However, the court forwards the request to the CSW to give its professional assessment on the family. Therefore, the CSW conducts all actions including: preparing the file for adoption after the resolution of the child's legal status, conducting procedures for assessment of the suitability of adoptive parents through interviews with potential parents, assessing meetings with the potential adoptive parents, training of potential adoptive families etc.

**Table 3**

Municipality	Number of abandoned children	Number of children in foster care families	Number of children in SOS Children's Village	Number of children in UCKK	Number of children with a resolved status
Prishtinë	10	6	4	0	3
Fushë-Kosovë	3	1	1	1	3
Mitrovicë	1	1	0	0	1
Ferizaj	5	3	1	1	2
Gjakovë	0	0	0	0	0
Prizren	3	1	1	1	0

Source: 6 Centers for Social Work. Data on the number of abandoned children in Kosovo and their placement, September 2013

From interviews with 6 CSWs selected for this analysis it resulted that:

- **Abandoned children in Kosovo aged 0-3 years old in most cases are referred to the CSWs by the hospital.** There are special cases that are self-referred (parents or relatives) or the police.
- **Loss of track of biological parents that give birth at the hospital remains an unspecified responsibility.** One of the primary problems are cases when mothers leave the hospital without any notification. According to the law, in these cases, the Guardianship Authority should look for the mother for 1 year. For the time that the mother is unknown within the first year that is the extension of the period that the child remains with an unresolved status!
- **Tendency of the CSWs to send the abandoned children initially to the SOS Children's Villages.** The social workers justify this with the lack of capacities and small number of foster care families to admit and look after children with special needs and health problems.
- **The reason for delays in resolving the status of the child or their adoption is often related to the health situation, disability, age of the child or due to implications/family circumstances of the abandoned child.** CSWs say that children with disabilities sit for a long time in the waiting list for adoption and usually go on international adoption. Cases when procedures on resolving the status of a child are stalled due to implications/family circumstances of the children cannot be denied<sup>20</sup>. According to the CSWs, specific cases are when the mother tells who the father is and the father does not acknowledge the child. This gives rise to new procedures that may even end up with DNA testing to verify paternity. It is not possible to do DNA testing in the territory of Kosovo and it has a high cost to be conducted abroad. Some of the cases of the abandoned children have been delayed for years at the court due to the inability to verify paternity, one such case is in the municipality of Gjakova, where the court is delaying this case since more than 3 years!
- **Lack of understanding of the law and unclear competences on the development of procedures to resolve the status of the abandoned child and adoption procedures that is noticed in all municipalities where this analysis has been conducted.** The procedure is initiated by taking the statement of the mother. **According to the head** of social services in Prizren, the case manager is obliged to request as a minimum three statements for abandonment by the mother within six months in order to complete the case file. These statements are not valid for the court but only serve for the internal regulation of the procedures at the CSW, and these statements are:

**Statement I** – is made at the moment when the legal guardian meets with the mother of the child who has the potential for abandonment, de jure this statement is not valid but serves to the CSW to initiate a case;

**Statement II** – is taken by the case manager after 40 days, again this statement is not valid outside of the CSW offices but makes the position of the mother on abandoning the child clear;

**Statement III** – is evidence of the final position of the parent(s), and based on this statement the CSWs forward the case to the Panel.

<sup>20</sup> Procedures of child abandonment in cases when one of the parents is abroad or when there are disputes involved

At the court, a mother/father give the statement and only this is valid to take away from the mother/father parental right. According to the head of social services at the Municipality of Gjakova, all three statements are taken as soon as possible without any specific deadline and these statements are submitted to the Panel. Without these statements, the court considers the file incomplete.

This analysis shows that in practice, there is so much confusion from all parties regarding the statement, number and type of the statement of consent. According to the CSWs the law is not clear as to who should the mother give the statement. Currently, the CSWs continue to ask for a minimum of 3 statements by the mother with the justification of supplementing the documentation/file for the Panel and this is justified as social work for the family reunion. It is worth mentioning that number, type and deadlines of these three statements are not determined in the framework of any by law, thus verifying that it has more to do with a practice already created by the CSW. Whereas the Law on Family does not mention three statement, however it clearly determines that the consent should be stated to the court and becomes final at the time it is submitted..

- **Failure to observe the deadlines from the institutions involved is another fact in delays for conducting procedures to adopt the children.** According to the CSW in Fushë Kosova, once a child is registered at the hospital and it is assessed whether the child will be taken to residential or foster care families, the file is prepared for the Panel. The Panel does not convene only for cases of abandoned children, therefore several cases are collected to be reviewed, and these delays may go up to one or two months. The consent of the Panel to submit the case to the Court is a crucial point and without this consent the CSW cannot address the Court.
- **According to the social workers, the delays at the Court are problematic when documentation is returned as incomplete with the request to complete it.** Completing the documentation is the most important stage for the CSWs and this is exactly the part of work on which they spend most energy and time. It should be understood that the completion of the documentation is used by all stakeholders to justify delayed adoption cases.
- **CSWs face overload of cases and the average of a case manager for 1 year may exceed 100 cases.** Lack of human resources results in the Guardianship Authority to not give its maximum in the situations involving abandoned children<sup>21</sup>.
- **Professional exhaustion or lack of motivation among social and family services officials.** This analysis indicates that the experience and knowledge of social workers in managing cases in general, and in particular cases of abandoned children, is not lacking. However, a certain professional exhaustion or lack of motivation is noted, and according to them, is a result of overload with cases. This affects the quality of services provided to the abandoned children.

21 For more, the CSWs provided the average of cases of a case manager in one year: CSW Prishtina around 100 cases, CSW Prizren 30 – 80 cases, CSW Ferizaj around 100 cases, CSW Fushë Kosovë 70 cases, CSW Gjakovë 300 cases and CSW Mitrovicë around 15 cases

## 2.1.5 Findings from the Panel

The Panel for Placement of Children in Family Shelter and Adoption is a professional body that supervises the observance of legal and professional procedures for the placement of children in foster care families and adoption, and it functions under the auspices of the MLSW. The Panel comprises of 7 members, 4 of them are members outside of the MLSW.

For a child whose legal status has been resolved and is ready to go for adoption the members of the Panel say that in practice the CSW notified the responsible official at the DSFP, who maintains a separate register book of children with resolved status and potential for adoption and a separate register book of the parents who have been assessed positively and with potential for adoption. CSW receives the recommendation by the respective official at the DSFP for the first three (3) families awaiting adoption according to the separate register book of the Panel. Afterwards, the CSW decides to select one of the three potential families/parents for adoption proposed by the respective official at DSFP, and selects the family that is most suitable for the best interest of the child.

After the Guardianship Authority received the positive opinion of the Panel, initiates at the basic court the procedure for the adoption of the child together with the potential adoptive parents.

From the interviews conducted with members of the Panel for this analysis, the findings are as follows:

- **Abandonment of children did not increase in the recent years, the trend is the same with an average of 50 children abandoned in a year.** Compared to the post-war years, the number of abandoned children has decreased notably. Panel members mentioned 2002 as the year when the number of abandoned children was over 100. However, they emphasize that they should work more in prevention so that the number of abandoned children is even lower.
- **The number of requests of applicants for adoption is three times higher than the number of abandoned children.** Panel members say that applicants have to wait for their turn in accordance with the separate register book of parents assessed positively, and it happens that the applicants (married couples) have to wait for two years even for their turn to come. "Requests for adoption are numerous, therefore, fortunately, Kosovo does not face the problem of lack of requests for adoption, furthermore we have the case of selecting families while assessing them for the register book".
- **There is no set duration for the procedures to resolve the status of the child and adoption procedures.** According to the Panel members, each case is specific and is handled as such. Initially they attempt family reunion and then seek to resolve the status of the child. The abandonment statement is made only after 8 weeks. There are cases when a mother asks for more time hoping for an improvement of circumstances. A mother is given absolute priority if there are signs that she may take the baby.
- **The panel does not delay opinion on cases, "The Panel meets as often as needed, so we do not have fixed dates to wait for, and one day after the Panel asks the CSW to take the cases",** informs a Panel member.

- **The issue of mothers' statements should be understood as social work of the Guardianship Authority for family reunion between the child and the biological mother.** According to the Panel member, the issue of statements should not create any confusion among CSWs, because depending on the case, the number of statements may vary, while emphasizing that there should not be any abuse or delays in the time aspect "on behalf of taking" three statements.
- **Cases of children with unresolved status for years are mainly specific cases of abandoned children where there has existed a dispute between the parties or when the parents are unknown.** Members of the Panel highlight cases where the mother tells who the father is, while the "father" does not accept the child, which implies opening of procedures for paternity attestation, or other cases when both parents are unknown. In the latter case, according to the law, the CSW should wait for more than one year for the parents to appear and after one year can commence the adoption procedure. However, this does not justify the cases of abandoned children with unresolved status who remain for three years in alternative forms of shelter (although in small numbers in relation to the general number of the abandoned children).
- **No case of abandoned children with disabilities has resulted in adoption in Kosovo in 2013, children with disabilities often go on international adoption.** Members of the Panel explain that it is nearly impossible for the time being for children with disabilities to be adopted in country, even children with slight disabilities, "Due to the mentality, couples are not ready to adopt children with disabilities in Kosovo. The need for public awareness in this respect is huge". According to the law, international adoption takes place only when all other opportunities for adoption inside Kosovo have been exhausted and the adoption is in the child's best interest.
- **The difficulties of the Panel are also related with the potential adoptive parents who work and live abroad and wish to adopt with local procedures since they also have Kosovo citizenship.** The Legislation and the Hague Convention on Adoption obligates these parents to apply using international procedures and are a guarantee that should they adopt they will move without any problem to the country where they live. In such cases, it is extremely difficult for the Panel to know anything about these families if the CSW has not given any details. The representatives of the Panel emphasize that domestic adoption is of priority compared to international adoption.
- **Non-unification of CSWs and Courts after the transfer of competences for the establishment of adoption to the courts has created confusion among the parties.** It is more than necessary to hold joint meetings between the CSWs and the courts to unify the procedures especially in relation to the completion of the case files, to minimize the duration of preparing the case file and conducting the procedures.



## 2.1.6 Findings from the Basic Courts

The competent authority for adoption and the adoption procedure is the Basic Court. The Court may request for advice from the Guardianship Authority when taking the decision for adoption.

Based on the interviews conducted with the judges selected for this analysis it resulted that:

- **The legislation related to the protection of the abandoned children and their adoption is, according to the judges, in compliance with the child's best interests and is suitable in the context of Kosovo.**
- **Cases of abandoned children and children without parental care are always given high priority,** by observing the legal deadlines and without delay, in spite of the overload they have due to a large number of general cases compared to statutory cases and also as a result of a small number of judges. There may be delays in specific cases (i.e. in cases where paternity should be attested via DNA testing) which are very rare in relation to the general number of the cases of abandoned children.
- **Incomplete cases to resolve the status of the child or for adoption filed with at Court by the CSWs appear to be a problem that causes delays to the process. According to the judges, the Panel is not always efficient in relation to the documentation suggested to the CSWs to complete the cases.** In some cases received by the courts, there is lack of documentation. One such example is the Basic Court of Prishtina, where in 2012 out of 13 cases filed by the CSWs only one case had been completed properly, whereas the others were returned to the CSWs as incomplete cases in need of supplementing the documentation.
- **The issue of statements by the mother taken by the CSWs remains confusing.** There are cases when judges receive 3 or 4 different and contradictory statements varying according to the different situations of the mother resulting in confusion among judges and lack of certainty as to which of the statements is final. Often, the statements do not represent any evidence or facts and are deficient in terms of content and quality. A mother's statement constitutes the main testimony for the judges and without one such statement they cannot proceed further. Judges ask the CSWs not to send 3 or 4 statements from the mother as part of the case file, as one statement is sufficient however it needs to be the final one.
- **Pre adoption period of 3 months, determined by the Law is not always set by the judges.** There are cases when the judges, due to their emotional involvement, do not give a pre-adoption period and establish the adoption within 4 - 5 days!
- **The practice of work of judges in relation to the cases of abandoned children is not unified.** The judge in Prishtina highlights the need for joint meetings between judges from different municipalities and the CSWs to unify the practices with regards to the cases of abandoned children or establishing the adoption.



# Chapter 3

Psychological-physical  
and social overview

### 3.1 Overview of the development of abandoned children aged 0-3 years old

At the first stages of a pregnancy, the embryo connects emotionally with mother. This chemistry does not involve only the physical development but also the emotional feelings, which translated into a clearer language means that the embryo is under the effects of all emotions a mother experiences. The influence of a poor emotional state, inappropriate behavior, abuse with harmful substances take their toll on the physical, mental and emotional development of the embryo and later of the fetus. In spite of a mother's emotional experiences we should admit that for as long as the child is in her body, physically safe. The history of the pregnancy should be known in its holistic aspect, but also in detail since it may help in eventual medical or psycho-social help for the baby and mother.

The birth moment is accompanied by a lot of dynamics for the baby. From the first moment a baby comes in contact with the world, it continues the interaction and communication. The unknown that the baby faces in the first moments is a trauma on itself because the newborn baby does not have the physical or emotional understanding to be a separate person. Therefore, the change of temperature, the intensity of the voice, physical position, physiological changes and other contacts with the external matter are accompanied by unwanted strong emotional and physical sensations.

At the first stage of a baby's development (0-18 months old), according to Erik Erikson<sup>22</sup> trust versus non-trust is developed. The baby comes to this world totally distrustful and it is up to us to help the baby create trust in the world. This is done by the closest person to the baby: the person who feeds, cleans, smiles and creates all possible comfort to relieve the baby of its discomforts and insecurity by unknown sounds, and in the ideal case this would be the mother and father.

To get into the physical development of the baby at this stage, it is known that the head bone is not completely formed and is soft<sup>23</sup>. Baby's neck muscles are soft and in the first 3 months a baby requires special care for the neck positioning<sup>24</sup>. Limbs require development more and more every day and the baby needs stimulation and movement to develop motor skills. Hygienic care should be very high in order to avoid infections because the skin has not yet fully adapted to the environment.

Since the physical and emotional development of the baby go hand in hand and are directly related to the presence of the person who looks after the baby the most, it is known that the way how this care is expressed has its own influence on the process. Therefore, the need of babies for support is not only physical.

<sup>22</sup> *Stages of personality development – Eric Erikson*

<sup>23</sup> R. L. Altman, J. Canter, P. A. Patrick, N. Daley, N. K. Butt and D. A. Brand (2011). *Parent Education by Maternity Nurses and Prevention of Abusive Head Trauma. PEDIATRICS*, 128 (5), e1164-e1172. Doi: 10.1542/peds.2010-3260, <http://pediatrics.aappublications.org/content/128/5/e1164.full.html>

<sup>24</sup> R. L. Altman, J. Canter, P. A. Patrick, N. Daley, N. K. Butt and D. A. Brand (2011). *Parent Education by Maternity Nurses and Prevention of Abusive Head Trauma. PEDIATRICS*, 128 (5), e1164-e1172. Doi: 10.1542/peds.2010-3260, 4. 4 <http://pediatrics.aappublications.org/content/128/5/e1164.full.html>

The development of a child from 18 months to 3 years old is an important stage for the formation of the personality which, according to Erikson, involves the formation of independence versus shame and doubt. It is the second and the third years of life when the child has to learn and needs to be independent. According to him, if the child has no help to go through this stage in a healthy way there is a probability that the child's personality will always involve feelings of dependency, shame and doubt.

If we compare this general description of the normal development from the conception to three years old with the conditions of the abandoned children who spend a part of this time in residential institutions, hospital or community houses, we should admit that the directions of development are different.

Children who within the 3 first years spend a part of their life in an do not enjoy these initial comforts that are so needed at the right time. The consequences directly relate with the feeling of being safe, the child develops other abilities to survive that are far from security. Lack of security in the first months is automatically accompanied with lack of trust. Security and trust are two strong pillars that every personality holds on to find the way of interaction and functioning in the society.

Recent studies<sup>25</sup> show that the failure to appropriately develop motor skills and the failure to develop healthy feelings of security and trust at this stage has cognitive, behavioral and physical consequences. These consequences include complete non-activation of the right brain hemisphere. Nowadays, many campaigns are organized worldwide for children who spend the first three years of their lives in institutions in order to preserve the healthy functioning of this part of the brain.

## 3.2 Psychological and health effects

Pregnancy is the important period to be known for the future, and in the same time is very sensitive to issues to be treated in the future. Unfortunately, the pre-birth reports in Kosovo are not part of the work practice and therefore create the first absence and also cover a series of problems that may result in immediate needs for the child treatment. During the interviews at the hospital, some of the babies had health issues, and the cause may have been belly-tightening or other self-denying behavior stimulated by the pregnant mothers.

Although the hospital team does a great job for months by looking after these children, their care nevertheless remains at the institutional level as they cannot give the children the basic needs for physical, emotional and sensory development which is very rapid at this period. Living long in the hospital premises, in a collective environment and without someone to take care of them leaves its consequences in all these three development aspects.

Feeding resembles the treatment of a child at the hospital. Feeding both at the hospital and SOS Children's Villages is reported to follow a timetable and a program of diet. At the hospital, considering that the babies remain there not for long, they are fed formula milk every three hours. At SOS Children's Villages they have a daily diet program in accordance with the age and development of children.

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25 CM5D 636 Neuropathology's of Language and Cognition, chapter 3. <http://www.csuchico.edu/~pmccaffrey/syllabi/SPPA336/336unit13.html>

Failure to create relationships with a person and failure to provide the opportunity to get to know better the person taking care of them results result these children fail to develop the basic feelings of their personality such as security and trust, and the consequences of this may be neuro-psychological damages to the right hemisphere of the brain. Healing from such consequences never reaches the best level and at the same time results in great in high costs for the society and individuals.

If a child turns 3 years old and is not adopted yet, the feelings of inferiority, of being unloved, and insecurity for the future as well as lack of trust have a probability of intertwining to create a profile that needs to survive in the society through great distress, which is higher if accompanied by physical challenges.

Lack of willingness to discharge children accommodated in the residential institutions within 6 months further aggravates the problem. Failure to give them an opportunity to know a family environment in the first years of life and failure to provide them with an opportunity to feel the warmth of a family or to connect with a trustworthy person or to acquire full models of family setting or to benefit from a holistic care that only a family can provide, result in a child that moves through life without any orientation and with problems that aggravate as the time passes.





# Chapter 4

## Recommendations

## 4.1 Short-term recommendations

- **To urgently change the current practice of the hospital and CSW staff to keep children in the hospital in contravention of the regulation signed between MLSW and MH “due to seasonal holidays, during the winter or summer time, or due to weather or high or low temperatures”.** This is a serious violation of the child rights and the MLSW and MH should not tolerate this.
  - **To render functional the hospital forms for the registration of pregnancy history, this is an immediate need.** At the hospital, many of the babies with a potential to be abandoned may be born with spinal deformities, or other health issues and the cause may be the behavior of pregnant mothers. Social workers should be aware of the importance of these forms. KOMF also recommends unification of the documents in order to meet the best interests of the child at the same time.
  - **To put in place and supervise ethical and professional rules for the staff working with abandoned children,** in order to avoid risks that may threaten a child in cases when confidentiality is breached.
  - **The hospital should take immediate security measures.** The gynecology ward should have rigorous controls of parents. None of the mothers should leave the hospital without leaving the data and information needed for the Centers for Social Work.
  - **To render functional the inter-institutional communication through inter-institutional agreements and other official ways of referrals.** Deficient inter-institutional communication (within the hospital, between the hospital and CSWs, between the CSWs and the police etc) automatically results in avoidance of responsibilities.
  - **To increase the responsibility of the CSWs in protection of abandoned children.** The CSW staff is a professional staff that is in charge of the present and future of these children. The visits for children placed in alternative forms of shelter by the social workers are obligatory by law. The law obligates the case manager to visit the child at least once a month. While the law obligates the legal guardian to behave and act like a good parent for the child until the child's status is resolved and he is adopted. CSWs should undertake all necessary actions in time and without negligence according to the legislation in force and the minimum standards put in place by the MLSW.
  - **The Ministry of Labor and Social Welfare should continuously monitor the CSWs while managing the cases of the abandoned children so that the children are removed from the residential institutions as soon as possible and their status is resolved.** Based on data from the field we notice a tendency of the social workers to send the children to SOS Children's Villages, and this requires immediate intervention.
  - **To resolve as soon as possible the DNA test issue.** Since it is not possible to do DNA testing within the territory of Kosovo, the test has high costs involved abroad, especially taking into consideration the fact that some of the cases of the abandoned children have been delayed for years at the court in the absence of paternity attestation. Therefore, KOMF proposes two alternatives:
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1. Create a special budget by the Municipalities – MDHWS based on the market labor that would assist the CSWs in cases of paternity/maternity attestation;;
  2. MH should establish a lab that would carry out such tests.
- **Statements taken by the CSW should be considered part of the social work**, and work to create opportunities for reunion and should not be perceived as final statements that determine the timeframe and decision-making.
  - **To unify practices of work between judges and social workers with regards to the work being done on abandoned children.** All parties involved in the analysis reflect on the need to conduct joint training in order to create a unified practice of the work in adoption cases, and for the sake of interaction and collaboration the training should be held jointly between the Courts and the Centers for Social Work.
  - **The panel on the placement of children in foster care families and adoption that functions under the auspices of the MLSW should meet more often in order to review cases in time and avoid having children stay for longer time at the hospital or alternative shelters.**
  - **The MLSW should draft an Administrative Instruction on regulation of adoption procedures by the CSW in order to clarify the procedures for the adoption of abandoned children that have been developed by the CSWs and to determine the timeframe.** Based on the data from the field many procedures developed by the CSWs in relation to the adoption are unclear, the practices differ depending on the Municipality, whereas there is abuse with the adoption duration. KOMF recommends that the CSWs should take responsibility for the timeframes. This Administrative Instruction should assist the CSWs and should determine well any procedure or timeframe chronology to the child's best interest. The application of the Administrative Instruction in conformity with the law should be monitored by the MLSW to ensure quality.
  - **To render functional the inspection of social and family services for CSWs and NGOs that provide services to abandoned children.** Although foreseen by the Law on Social and Family Services as amended No. 2011/04-L-081, for the time being, there has been lack of inspection. To render functional the inspection is a necessity required by contemporary standards to increase the quality of social and family services for persons in social need.



## 4.2 Mid-term recommendations

- **Draft policies, programs and services on the part of the MLSW, MH and the Municipalities to prevent child abandonment and take actions about the phenomenon of abandonment.** Programs should target the youth, the young generations who will be the potential future parents. Based on the indicators of abandonment, work should focus on preventing unplanned/unwanted pregnancies. The policies and programs should be also applied at the hospital and CSW. Studies made in the area of child abandonment prevention indicate the importance of services as one of the key aspects for reducing the number of abandonment cases.
- **Create conditions to provide financial and social support to self-sustaining mothers in Kosovo.** One of the reasons for the abandonment in Kosovo stems from the economic conditions. Girls/women victims of this phenomenon have to abandon their children because often they do not find financial support.
- **MH should strengthen the existing counseling office at the hospital – gynecological ward, so the Counseling Office takes on an additional role in the future to provide counseling and support to mothers with potential or at risk of abandoning the newborn babies.** This center would have a progressive effect both in prevention and care. According to a study in Romania<sup>26</sup>, results indicate that when two social workers started work at the gynecology ward and worked intensively with the mothers to provide counseling to them for a six month period, the number of abandoned children decreased from 64 to 16.
- **Municipalities and CSW to develop foster care families in Kosovo as a form of protection until the resolution of the child's legal status.** The recruitment of foster care families for various needs of children so that the families are always ready to look after the newborn babies with disabilities, and to prevent lengthy stays of children in the hospital or residential shelter. To increase the basic value, based on the basket of goods and the inflation index of consumer prices, which is more than necessary. **It is recommended that** foster care families earn social or health benefits on behalf of their status as foster care families. Foster care families continue to fail meeting the needs of all municipalities, thus often denying many abandoned children the right to know a family environment. Lack of relationships with a person results in children failing to develop basic personality feelings, such as safety and trust, and the consequences include neuro-psychological damages in the right hemisphere of the brain, and psychical disorders that may manifest themselves at the age of adolescence or later. Healing from such consequences is never complete and have a high cost for the individual and the entire society.
- **Supplement/amend the Law on Family in Kosovo,** the Guardianship Authority should not be defined as an advisory body for the adoption procedure but it is recommended to be defined as a facultative competent body to carry on with social work on the adoption process. **The determination of the criteria/requirements on defining the best interest of the child** at the time of decision for each alternative protection method should be included in the framework of the legislation.

<sup>26</sup> Browne, K. D. Chou, S. Poupard, P. Pop, V. & Vettor, S. (2006). *Development of strategies and actions on prevention of abandonment of babies in Romania UNICEF Report; Government of Romania, Bucharest: UNICEF Office in Romania*

- **Capacity building for officials of social and family services and MDHSWs** through training on the legislation in force on protection of abandoned children, the procedures and legal deadlines to apply the types of protection with focus on adoption.
- **Awareness of the public opinion on the phenomenon of discrimination against the abandoned children with disabilities** to enable and contribute in a sound development for the future of these children.
- **Increase human resources through professional staff.** CSWs say they need more staff especially psychologists or social workers. This need is also expressed by the Courts saying that the number of judges dealing with civil cases (including adoption of the abandoned children) should be increased. Likewise, at the Gynecology Ward at the hospital the doctors ask for assistance through increasing the number of staff who work with the newborn babies. This can be achieved through a re-organization of human resources within the current staffing of the UCCK.
- **Ensuring grants for social services according to one of the two alternatives proposed by KOMF.** To ensure the wellbeing and provision of contemporary services we recommend the amending and supplementing of the LF to follow one of the two KOMF alternatives:
  1. **Alternative I:** Specific grant for social services of the closed kind, which is the most adequate alternative for providing a safe minimum of social services.
  2. **Alternative II:** To make a division dedicated to social services within the percentage of the general grant. KOMF informs that the second alternative does not guarantee the financial sustainability.

**KOMF:**

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16 non-governmental organizations working in the area of child protection in Kosovo with the purpose of further coordination of their efforts in child protection, having a mission to protect, respect and advance the wellbeing and the rights of children in Kosovo.

These organizations are: Associazione Amici dei Bambini, Association for Social Training, Research and Advocacy - ASTRA , Initiative 6, Center for Protection of Victims and Prevention of Trafficking in Human Beings MVPT, One to One Children's Fund, One To One Kosova – Center for Counselling of Families, Youth Organizations Akti, Save the Children, Hope and Homes for Children Kosovo, Terre des hommes, World Vision, SOS Children's Villages in Kosovo, OPFAKKOS, Kosovo Education Center - KEC, Civil Rights Program.

