



# **STUDY ON INSTITUTIONALIZED CHILDREN IN AZERBAIJAN**

## **CHILDREN'S RIGHTS AND POSSIBILITIES OF DE-INSTITUTIONALIZATION REFORM**

[http://www.unicef.org/ceecis/protection\\_2946.html](http://www.unicef.org/ceecis/protection_2946.html)

[http://www.crin.org/docs/resources/treaties/crc.40/GDD\\_2005\\_Institutionalised\\_Children\\_Azerbaijan.doc](http://www.crin.org/docs/resources/treaties/crc.40/GDD_2005_Institutionalised_Children_Azerbaijan.doc)

**Baku – 2004**

## **Acknowledgements**

This research was conducted by an NGO - “Initiative for Development” (coordinator: Polad Azizov, a sociologist, Candidate of Psychological Sciences, Chingiz Hajiyeu, a psychiatrist, Candidate of Medical Sciences Fuad Ismayilov). A special thanks for Catherine Burdge, a consultant of Social Action Company (UK) for development of methodology and the plan of action which were discussed in detail with her through invitation of UNICEF Azerbaijan office. Her support and advice has helped the team to develop questionnaires and consultations on conducting of the study.

We are deeply grateful to Mr. Abulfaz Garayev, Minister of Youth, Sports and Tourism and Ms. Hanna Singer, Head of UNICEF Office in Azerbaijan whose attention and support promoted the successful realization of the project.

Many thanks go to Dilara Babayeva, the coordinator of the Program on Child Rights Protection of UNICEF-Azerbaijan and Julian Wilcox, the UNICEF Program coordinator for advice and practical assistance, also to Indira Hajiyeu, the Head of the Department on Children’s Issues at the Ministry of Youth, Sports and Tourism for the support of the project in all its stages of realization. Thanks go to Christina Rochella, an independent consultant for cooperation in the formation of ideas and exchange of experience for de-institutionalization in Italy. With gratitude we mention the names of Mr. Phillip Bertrant, the head of European Commission Food Security Program and its employees, and Ms. Rasmiyya Aliyeva for providing the quantitative data and willingness for cooperation.

We express our gratitude to Vugar Mehdiyev, Nazim Babayev, Tamerlan Rajabov, Tural Baghirov, Aliaslan Aliyev, the interviewers who participated in conducting sociological surveys.

Special thanks go to all the children, parents and the staff of the child institutions, boarding schools, nursery houses, as well as the representatives of youth, sports and tourism agencies, bodies of education, health care, executive power in the districts of Azizbeyov, Surakhani, Narimanov, Yasamal in Baku, in the cities of Ganja, Sumgait, in the districts of Shaki, Lenkaran, Goychay who took part in the surveys and supported their conduction.

We are obliged to the former inhabitants of the child institution #3 (of the Khatai District in Baku), the children from the Centre “Umid Yeri” who participated in the surveys.

# Contents

<b>INTRODUCTION</b> .....	4
<b>THE GOAL</b> .....	4
<b>THE RESEARCH PROGRAM</b> .....	4
<i>Methodology</i> .....	4
The Problem Description .....	5
Legislation .....	5
<b>The Indicators Affecting the Problem of Children’s Placement in Boarding Institutions Poverty and Index of Poverty</b> .....	7
<b>Access to and quality of education</b> .....	8
Social Allowances in the Frames of the National Policy of Social Security.....	9
Allowances to disabled children .....	10
<b>Boarding Institutions</b> .....	11
Types of institutions .....	20
Institutions for the maintenance of problem children .....	23
The duration of the stay in the boarding institution .....	23
Dislocation of institutions .....	24
Financing of institutions .....	24
The scheme of financing the boarding institutions .....	25
Monitoring and evaluation .....	26
<b>THE OUTCOMES</b> .....	31
Recommendations .....	31
<b>Part 2. The Sociological Survey</b> .....	34
<b>The methodology of conducting surveys</b> .....	34
The Formation of the Selective Totality of the Sociological Research .....	35
The Evaluation of General and Selective Totalities .....	35
The Analysis of the Focus-Group Data .....	35
<b>1.Children Living in Boarding Institutions</b> .....	35
1.1.Ways leading to the institution .....	35
1.2 The impact of the institution on children’s development .....	38
1.3. Standards and conditions .....	41
1.4. Attitudes .....	43
1.5. Alternative services .....	44
<b>2.The Children’s Parents</b> .....	45
2.1.The ways leading to the boarding institution .....	45
2.2.The Impact of the boarding institution on children .....	45
2.3. Standards and conditions .....	46
2.4. Attitudes .....	47
2.5. “Gate-keeping” .....	47
2.6. Alternative Services .....	47
<b>3.Boarding Institution Personnel</b> .....	48
3.1.The ways leading to boarding institutions .....	48
3.2.The impact of the boarding institution on the child’s development .....	48
3.3.Standards and conditions .....	50
3.4. Gate-keeping .....	51
3.5. Attitudes .....	51
3.6. Alternative services .....	51
<b>Outcomes</b> .....	52
<b>Recommendations</b> .....	55

## INTRODUCTION

The General Plan of Action for 2000-2004 signed between the government of Azerbaijan and UNICEF stipulated the implementation of some measures to improve the status of children placed in boarding institutions. For that purpose in July 15-November 30, 2004 there was conducted a wide study of the conditions of children living in boarding institutions of Azerbaijan.

The present study is by nature theoretical and applied, as its final goal is to develop new approaches to the solution to social problems of children deprived of parental care, also to work out possible recommendations to carry out the de-institutionalization reform. Hence, in the course of research there were studied some quantitative and qualitative data describing most perfectly the state of children and families in trouble, which most often result in placing children in institutions.

### THE GOAL

The goal of the research is to study the state of providing the rights of children placed in state boarding institutions including:

- the process of making decisions on the placement in the boarding institution and departure from the institution;
- the range and quality of services in boarding institutions;
- the attitude of children, parents, of the state and public representatives towards the problem;
- the expectations from the system of state care for children deprived of parental care;
- the analysis of the existing alternative services and development of suggestions to create alternative models of more flexible social services.

The present publication includes the report on the work done. The report consists of four parts: the research program, the analysis of the research findings, the outcomes and recommendations, Annexes.

## THE RESEARCH PROGRAM

### *Methodology*

The research consists of 2 independent parts:

- 1) the analysis of the legislation and the quantitative data obtained from different sources including the official statistics<sup>1</sup>,
- 2) the analysis of qualitative data obtained as a result of the social survey conducted with the method of deep interview among the children placed in boarding institutions, their parents, employees of boarding institutions, officials on local and republican levels, the former inhabitants of boarding institutions, the children in alternative institutions as well as the community

Both parts of the research comprise the outcomes, which are further correlated with each other.

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<sup>1</sup> The Annual Publication of the State Statistics Committee "Children of Azerbaijan" (2001-2004), "Statistics Indicators of Azerbaijan" (2003) and some data of independent researches (UAFA , "Children's Institutions in Azerbaijan. A Situation Analysis", 2000, European Commission Food Security Program in Azerbaijan "Financing of Child Institutions"

## **The Problem Description**

Like other post-socialist countries, Azerbaijan has inherited the system of care for orphans and children deprived of parental care from the socialist period of development. Despite the serious changes in the social and economic life of the country, the policy related to the state care for children deprived of parental care has not been exposed to fundamental review – the institutionalized care for children is seen as the most reliable (so far the only) way of providing children's rights to education, nutrition, upbringing, social security<sup>2</sup>. The historical experience of a range of countries shows<sup>3</sup> that although the country follows the best intentions, in reality the placement of children in boarding institutions in most cases leads to the social isolation of these children. For better understanding of the problem we'll consider a number of social, economic, institutionalized aspects related to children under hard life conditions.

Azerbaijan gained independence in 1991 having chosen the course of building a democratic state with a market form of economy. Like other post-socialist states, the country survived the hard transition period caused by the breakdown of economy, the system of administrative management, the instability of politics. However, the transition period in Azerbaijan was aggravated by the provocation around the Mountainous Garabagh and the military aggression on the part of Armenia that broke out in 1988. As a result of this aggression, 20% of the territory of Azerbaijan was occupied by Armenia, in the country there are about 1 million refugees and internally displaced persons (every 8<sup>th</sup> inhabitant of the country) out of which 274,9 thousand are children under 16<sup>4</sup>.

Thus about half a million women and children above 15 have the status of refugees and internally displaced persons. Part of them are still obliged to live in carriages, tents, broken up on the less populated (or in general, unpopulated) rural areas.

The aggravation of the economic situation, migration (external and internal), unemployment, and poverty have led to the increase of the number of broken families. Under these conditions the absence of effective measures to consolidate the institute of the family, the reduction of a number of social programs had a negative impact on the state of the most vulnerable groups of population: children, incomplete families. For part of the population the access to some basic social services, such as education, health protection got sharply reduced. For that reason the families in crisis are seeking for other means of increasing the family budget and of getting support from the state.

One of the reasons why the families are expecting help and feel constant dependence on the state is associated with the historical practice of the former socialist countries. For several decades the Soviet state took almost the entire responsibility of care and development of children upon itself. Consequently, even today a considerable part of community is striving to lay the responsibilities of parents on the state. However, at the present stage in order to provide children's rights best, the state and society should give priority to the development of the roles and responsibilities of the very parents, and the state policy should be aimed at improving the responsibilities of parents and/or the immediate caregivers of children.

For more profound study of the situation in boarding institutions, as well as that of the children presently under the state care or those at risk of being placed in boarding institutions, one should consider also other indicators influencing the situation.

## **Legislation**

After the Republic of Azerbaijan joined the UN Convention on Child's Rights (July 21, 1992) the country adopted a number of legislative documents urging to provide the best interests of children.

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<sup>2</sup> "Child Institutions in Azerbaijan. A Situational Analysis", UNICEF/Ministry of Education, 2000

<sup>3</sup> Children in institutions: The beginning of the end?, UNICEF, Innocenti Research Centre

<sup>4</sup> The State Statistics Committee, bulletin "Children of Azerbaijan", 2001.

### Laws of the Republic of Azerbaijan:

- “On Children’s Rights” (May 19, 1998)
- “On Social Security of Orphans and Children Deprived of Parental Care” (June 22, 1999)
- “On the Education of Persons with Limited Health Abilities” (June 5, 2001)
- “On the Ratification of the Statutes of the Commissions on Juvenile Issues and Protection of Their Rights” (May 31, 2002)

### Codes

- The Family Code of the Republic of Azerbaijan (December 28, 1999)
- The Civil Code of the Republic of Azerbaijan (December 28, 1999)

### Decrees and Instructions of the President of the Republic of Azerbaijan

- The Decree “On the Creation of the Commission on Juvenile Issues at the Cabinet of Ministers of the Republic of Azerbaijan” of January 17, 1997
- The Decree “On the Adoption of the Law of the Republic of Azerbaijan “On Social Security of Children Who Lost Their Parents and Are Deprived of Parental Care” of August 30, 1999
- The Decree “On the Improvement of the Education System in the Republic of Azerbaijan” of June 13, 2000
- The Instructions “On Increasing the Allowances to Care for the Child Presented to Persons on Partially Paid Social Leave” of January 18, 2001

### Resolutions of the Cabinet of Ministers of the Republic of Azerbaijan

- “On the Ratification of Typological Statutes on Child Institutions” of September 19, 1994
- “On the Payment of Monetary Allowances to the Persons Taking under Guardianship (Trusteeship) the Orphans and Children Deprived of Parental Care” of February 2, 1995
- “On the Statutes of the Special Pre-school State Institutions for Children with Psychological and Physical Shortcomings” of September 4, 1995
- “On the Ratification of the List of Illnesses Not Allowing the Adoption, Guardianship and Trusteeship” of August 15, 2000
- “On the Ratification of the Rules of Registration of Children Deprived of Parental Care and Given to Adoption, the Rules of Registration of Persons Willing to Adopt Children and the Rules of Registration of Foreigners and Persons without Citizenship Willing to Adopt Children Who Are the Citizens of the Republic of Azerbaijan” of September 20, 2000
- “On Measures to Improve the Social Security of Children Who Have Lost Their Parents and Are Deprived of Parental Care” of November 7, 2001
- “On Improvement of Material Provision of Parents (Guardians) of Children Involved in Special Education in order to Take Their Children to and back from the Special Education Institution, Health and Rehabilitation Centres and Medical Institutions” of December 25, 2001
- “On the Ratification of the Plan of Activities to Improve the State of the Children without Care and Children Living and Working in the Street” of April 14, 2003

A thorough consideration of these documents shows that the state declares the necessity of upbringing the child in the family and assigns a paramount part to the family in the issues of maintaining and bringing up the child. Along with adopting, transferring the orphan and the child

deprived of parental care to the charge of a trustee and a guardian, a range of documents emphasize the possibility of their further maintenance and upbringing in the family-type child institutions, state and non-state centers of social rehabilitation. At the same time, the main attention is attached to the consolidation of boarding-type institutions the indicative of which is the annual growth of the state expenditure on the maintenance of boarding institutions (See the State Budget of the Republic of Azerbaijan for 2000, 2001, 2002, 2003 and 2004). Placement of orphans and children left without parental care in the family of citizens in case of impossibility of returning them to the biological family is discussed by the governmental experts and Parliamentary Members. However, the programs of restraining the growth of the number of children in boarding institutions, of re-directing the financial resources at the creation of services supporting the family have not become priorities yet. Besides, the state has not developed a strategy on stimulating the creation of alternative social services which must render assistance to the children and the families in crisis. For that purpose and following the recommendations of UNICEF in autumn 2004 the Cabinet of Ministers of Azerbaijan established a working group on de-institutionalization (under the auspices of Mr.E.Efendiyeu, the Deputy Prime Minister of the Republic of Azerbaijan).

### **The Indicators Affecting the Problem of Children's Placement in Boarding Institutions Poverty and Index of Poverty**

In accordance with the estimates of the World Bank in 1995, 61.5% of the population of the country lived on the brink of poverty out of which 20.4% are below the brink of poverty – in extreme poverty (However, the State Statistics Committee experts considered these figures to be understated assuming that the real level of poverty is on the brink of 80%). Economic situation has changed for the recent years. In accordance with the household research conducted by the State Statistics Committee in 2001, 49% of the population who had the income level of 120000 manat per month (US\$25.8) was defined as poor. 17% of the population whose monthly level of income did not exceed 72,000 manat (US\$15.5) was defined as being in extreme poverty<sup>5</sup>.

The level of poverty is higher in the cities (55%) than in the rural areas (42%). In Baku this indicator is close to the average indicator for the entire country and comprises 47.7%, but it is lower than in other cities of the country. At the same time, approximately four fifths of the poor live in the city of Baku. Among the families with 4 or more children the poor comprise 63%. In general, the risk of poverty is higher in the households with more family members. In accordance with the analysis presented in the Program on Poverty Reduction among the families consisting of 1-2 members the risk of poverty is considerably lower (comprises 8-18%) than among the families consisting of 6 members (61%). According to the same source, the possibility of poverty is higher among children at the age 1-15 than among the old above 60. This is one of the reasons for placing in boarding institutions the children who have parents ("social orphans")<sup>6</sup>.

The State Program on Poverty Reduction and Economic Development (2003-2005) underlines that the main goal of the strategy of the protection of children's rights consists of restriction of children's placement in institutions of state care and development of alternative forms of support to the needy families. To achieve this goal it is necessary (i) to create new services of support to the families facing challenges in the upbringing of children; (ii) to develop necessary services for the families bringing up the children in need of special care; (iii) to develop legislation related to the transfer of children to the charge of trustees as an alternative to the existing social institutions; (iv) to raise the effectiveness of the means spent on the maintenance of children living in boarding institutions, to direct the saved resources at supporting the families and reintegrating the children into society.

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<sup>5</sup> The State Program on Reduction of Poverty and Economic Development, 2003

<sup>6</sup> See the same source.

### ***Access to and quality of education***

The literacy level of the population of the country is high (98.8%). Among the children at the age 6-16 86% are covered with education<sup>7</sup>. The law requires a compulsory education (incomplete secondary), however it does not indicate who (parents, bodies of education, law-enforcement, commissions on juvenile issues and protection of their rights) and what kind of responsibility bears for the child's evasion from studies. Besides, as it is indicated in the above-mentioned State Program the shortage of textbooks, unsatisfactory conditions of material and technical base of school, outdated programs, teachers' weak motivation, and sometimes the lack of schools and professional teaching staff in remote villages lead to children's dropping out of school, termination of studies at the level of the 3<sup>rd</sup>-5<sup>th</sup> forms of general secondary schools. According to the estimates presented by Mass Media<sup>8</sup> at the beginning of each academic year, the preparation of one child for school makes up about half of the average monthly wages of a worker. If we take into consideration the fact that 70% of families have more than 2 children (and 43% of the total number of families have 3-4 and more children)<sup>9</sup>, then it is obvious that for the families with many children the children's education at school causes some problems. Pages 1-8 Accordingly, the drop in attendance is marked in general secondary schools, especially in high classes of secondary schools and in higher educational institutions.

Along with the financial challenges, there are also other problems. The most important is that the modern school does not provide enough knowledge to continue education. Thus, to enter universities the schoolchildren have to have additional preparation with paid tutors (not less than 2 tutors), which lasts many months and is beyond the power of the children from low-income families. Thus, the drop in the quality of education with the increase in the family expenditure on it leads to deviation from education.

It should be noted that the number of technical secondary schools and vocational-technical schools has considerably decreased for the last decade (from 176 in 1990 to 110 in 2003). And the number of their students has decreased almost 4 times (from 82 thousand to 21.7 thousand persons), and the number of the graduates has dropped more than 5 times (in 2000 there were 10.7 thousand graduates all in all). The decrease of the number of evening schools has taken place at much higher rates (more than 7 times). It must be underlined that the vocational technical schools and evening schools presented educational services mainly to the low-income strata of the population and their reduction (without suggesting other alternatives) to a certain extent has reduced the motivation to accomplish education at general secondary schools<sup>10</sup>.

The number of the disabled children involved in education has increased to a small extent; however, it changes at considerably lower paces than the number of disabled children officially registered. Thus, if compared with 1998/1999, in 2003/2004 the number of children with limited abilities at schools has increased 1.2 times, while the number of children receiving social allowances for disabilities for the same period has increased 2.3 times.

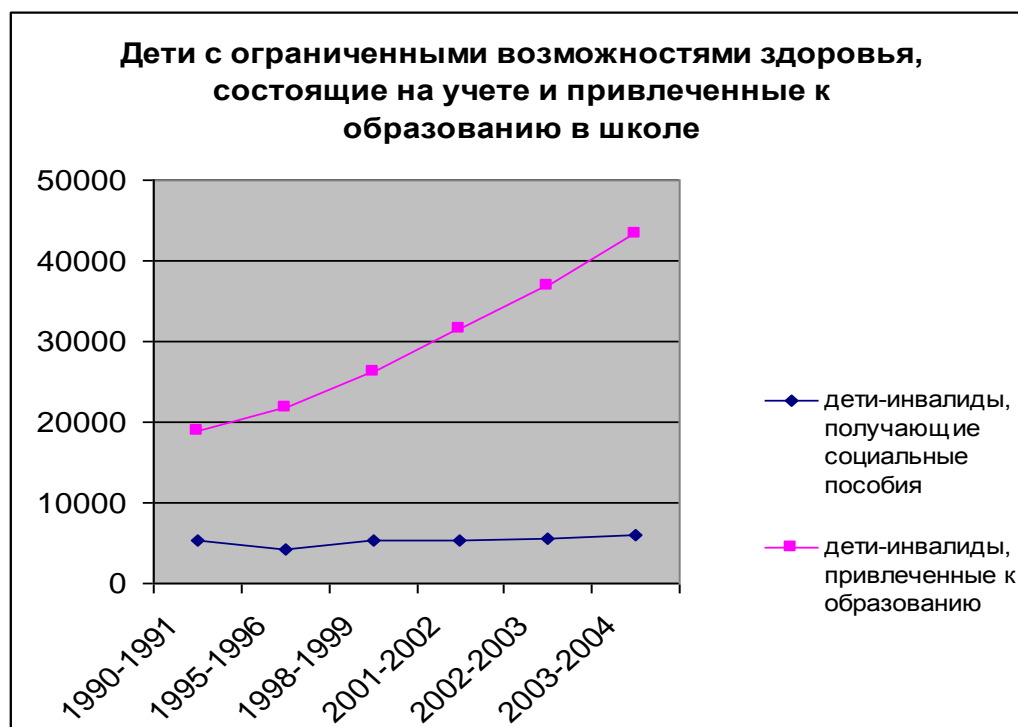
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<sup>7</sup> The State Program on Reduction of Poverty and Economic Development

<sup>8</sup> "Echo", August 28, 2004

<sup>9</sup> "The Statistic Indicators of Azerbaijan" (2003)

<sup>10</sup> The State Statistics Committee, bulletin "Children of Azerbaijan", 2004.



children with restricted health abilities registered and involved in education at school  
the disabled children receiving social allowances  
the disabled children involved in education

### ***Social Allowances in the Frames of the National Policy of Social Security***

With the start of economic reforms the social programs have been exposed to a serious review, conceptual approaches towards them have changed. Presently the main beneficiaries of social support are women and children, as well as the refugees and internally displaced persons (IDPs). In accordance with the Law of the Republic of Azerbaijan “On Children’s Rights” the state renders social assistance to children in the forms of lump sum payments, monthly allowances and compensations. All the types of social allowances to children are indicated in the table below.

**Table 1. Types of social allowances to children, 2001**  
World Bank, *Information of the Social Security Foundation*

Names of social allowances	Amount (monthly, in manat)
<b>Allowances to children and families</b>	
Monthly allowance to children under 16 in the families with an income less than 16.500 manat per capita and with children under 18 not getting stipends	9.000
Mothers with children under 3	15.000
Monthly allowance to children of the military personnel on the active list	12.500
Monthly allowance to children from the families that suffered from the war and the 20 <sup>th</sup> of January events	20.000
Monthly allowance to children from the families of the invalids of Chernobyl; to children in need of permanent hospital treatment; to children of the disabled parents	25.000

Lump sum allowance at the birth of a child	70.000
Monthly allowance to orphans	5.500
Monthly allowance to children – victims of war (from the martyrs' families)	35.000
(Daily) allowance to children abandoned in the maternity house	4.000

*1. during its stay in the maternity house until given to the family or transferred to the nursery house.*

As it is obvious, **all the existing social payments are fixed and have some categories of people in view and do not take into account the family needs, living conditions.**

In the country presently there live more than 1.5 million children receiving monthly allowances in the amount of 9000 manat (approximately US \$1,8) in the families with monthly income of less than 16.500 manat (about US \$3.3) per family member. The amount of these payments remains to be very low if compared with the minimal consumer goods basket. The social allowances do not take into account the demands of the population, but are granted to certain categories of citizens. In consequence, the existing resources are directed not at supporting the most vulnerable groups, but distributed in miserable amounts among the big masses of population.

The State Program on Poverty Reduction points out the necessity to improve the system of social security, to strengthen the targeted nature of support. The EC Food Security Program has conducted a study of the question and developed appropriate suggestions jointly with the Ministry of Finances and the Ministry of Labour and Social Security of Population.

It should be noted that the Ministry of Labour and Social Security of Population does not present any other social services to families, except the payment of monetary allowances. There is only a system of social support to the single old persons, but this is quite formal, as it concerns only the official registration and payment of allowances. There haven't been held reforms in this sphere lately and it meets the existing needs poorly.

**Allowances to disabled children.** The state has also fixed social pensions for invalids under 16. The table below demonstrates how the number of persons receiving allowances for disabilities changes.

**Table 2. The number of the invalids under 16 receiving social pensions**

*The State Statistics Committee, "Children of Azerbaijan", 2004*

	1998	1999	2000	2001	2002	2003
Total (persons)	18876	21739	26243	31460	36901	43342
Per 1000 children	7.1	8	10.0	12.3	14.9	18.1

These data indicate that the number of children receiving social pensions has increased more than 2.3 times for the last 5 years. It gives rise to anxiety that according to the data presented in Table 2 (see the 2<sup>nd</sup> line) the disabled children comprise 1.8% of the total number of children at that age which is a high indicator of disability. The data from the State Statistics Committee does not allow speaking of the reasons for such growth with certainty. There are not any extended studies on this question; that is why one can only make some assumptions about the reasons.

This may be the result of several factors:

- The real increase in the number of disabled children can be the result of war (the refugees and IDPs' children born to the parents having endured the shock of war and living under the conditions of poverty, the lack of nutrition and limited medical services);
- Deterioration of medical services in pre- and postnatal periods;

- The problem of insufficient and low nutrition (during the pregnancy and in the period of breastfeeding);
- Ill-timed diagnostics and medical or psycho-social aid.

However, this is only an assumption and the lack of complete reliable information does not allow making a conclusion on how each of them affects the problem.

At the same time, the sharp increase in the number of the officially registered invalids can mean not the factual growth of disability, but only the growth of the number of those registered. By registering the disability of the child officially, the family receives the state allowance, which makes up part of the family budget.<sup>11</sup>

In the methodological explanation to these data the State Statistics Committee provides the following definition: **“The disabled children are persons of a certain age who, because of a deficiency in mental and physical development, do not develop, study and take part in the public life unlike their peers. The category of disabled children is applied in relation to all the children whose disability is confirmed (registered) irrespective of the reasons causing the disability and who are on the list in social security bodies”**<sup>12</sup>. Such definition has a serious effect on these children’s rights to education, health, development<sup>13</sup>.

The decision on sending the disabled children to an ordinary general secondary school or a special school (a special class) is made in accordance with the historical practice of the medical and pedagogical commission that includes a specialist-psychologist. In many respects the approaches peculiar to the soviet period have been maintained in its work, which seriously restrict the right of the child with special needs to get education at an ordinary school. Moreover, the technical challenges and the pedagogical staff’s lack of training for this kind of work are the obstacles preventing the disabled child to attend school.

## Boarding Institutions

Qualitative changes in economy and social policy of the states in the post-socialist territory have led to a remarkable growth in the number of children in some types of state boarding institutions. The analysis of the data across the country submitted by the State Statistics Committee shows that<sup>14</sup>

- The number of children in boarding schools has been growing regularly since 1995. The number of children in boarding institutions has averagely increased about 30% for this period (18187 persons in 1995 and 23501 persons in 2004);
- The number of children has quite considerably grown in child institutions – almost 90% (from 395 to 750 persons) and in boarding schools for mentally defective and physically handicapped children – more than 80% (from 1607 to 2933);
- In child institutions – boarding institutions for children with limited health abilities the number of children has grown approximately 35%. The lower rate of growth in these institutions may be associated with the activities of the centers rendering alternative services for the development of children with limited health abilities.

***Placement of children deprived of parental care.*** The analysis of the data on children deprived of parental care and their comparison with the number of children placed in boarding institutions are in great interests of the present investigation.

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<sup>11</sup> UNCOR, 2004

<sup>12</sup> The State Statistics Committee, “Children of Azerbaijan”, 2004.

<sup>13</sup> We’ll refer to this question once more below when the results of the opinion polls are presented.

<sup>14</sup> The State Statistics Committee, “Children of Azerbaijan”, 2004 (see the Appendix, Table 7)

On average approximately 1000 orphans and children deprived of parental care are annually identified in the country<sup>15</sup>. Unfortunately, it is impossible to identify more exact reasons leading to the deprivation of parental care, i.e. it is impossible to identify which part of these children are orphans, and which part are deprived of parental care because of the parents' failure to fulfill their duties.

**Table 3. Placement of children deprived of parental care**  
(data for the end of the year)

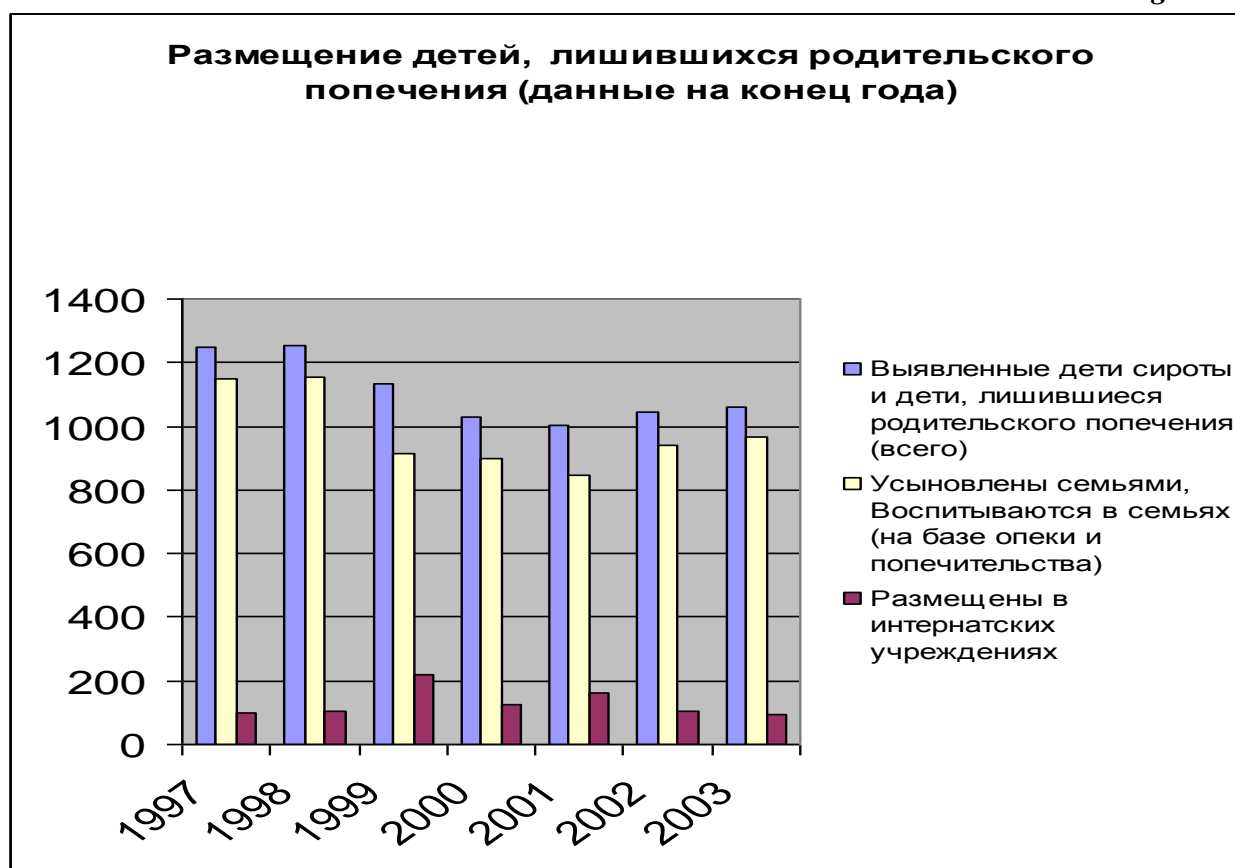
*The State Statistics Committee, "Children of Azerbaijan", 2004*

	1997	1998	1999	2000	2001	2002	2003
Identified orphans and children deprived of parental care (in total)	1248	1255	1135	1027	1004	1047	1060
Out of them: placed in boarding institutions	99	102	221	127	160	107	93
Adopted by the families, those being brought up in the families (on the basis of guardianship and trusteeship)	1149	1153	913	900	844	940	967

A considerable part of children are adopted by the families, taken under the guardianship or trusteeship (about 90%). On average every tenth child is sent to boarding institutions.

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<sup>15</sup> much higher data at the beginning and mid 1990s were associated with the war.



Placement of children deprived of parental care (data for the end of the year)  
 identified orphans and children deprived of parental care (in total)  
 those adopted by the families, those being brought up in the families (on the basis of guardianship and trusteeship)  
 those placed in boarding institutions

It is curious to note that the questions related to orphans and children deprived of parental care are dealt with by the commission on guardianship and trusteeship, “inclined” to identify the children for upbringing in the family. The commissions on juvenile issues and protection of their rights, having encountered the problem of child neglect are inclined to choose the placement of a child under the care of the state institution as a right decision (such a conclusion is drawn also from the findings of opinion polls [interviews] held in the frames of the present investigation).

The table presented in the Appendix (Table 4) contains the data on the total number of orphans and children placed in different types of state welfare institutions for children.

These data allow drawing the following conclusions:

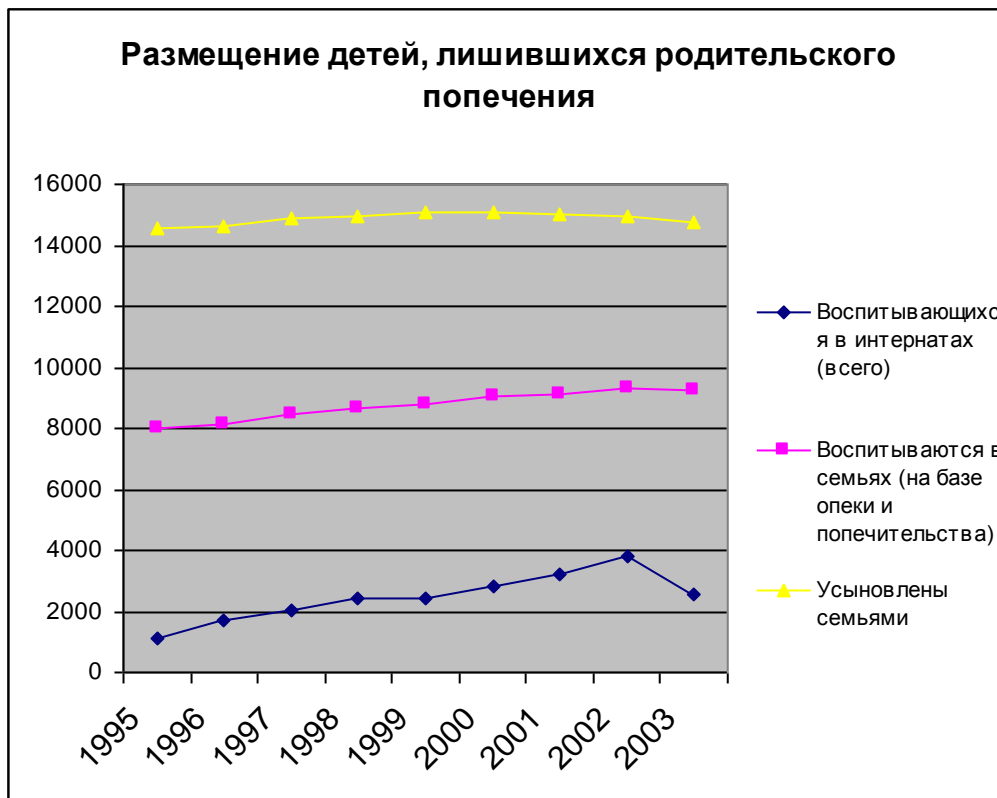
- The total number of children deprived of parental care has a steady tendency of growth (the first line of the table). If compared with 1990, the number of children deprived of parental care grew 21.5% in 2004.
- The number of children placed in boarding institutions in 2002 if compared with that in 1995 grew more than 3.3 times and comprised 335% (1132 children in 1995 and 3798 in 2002).
- A considerable part of children deprived of parental care are given to families to be brought up there: on average about 60% of the children are adopted, more than 30% are taken under guardianship and trusteeship.
- Less than 10% of children deprived of parental care are enrolled in boarding institutions.

- Despite the even growth of the number of children deprived of parental care the share of those enrolled in boarding institutions changes unevenly. Thus, the number of children enrolled in boarding institutions till 1996 is minimal (fluctuates about 5% from the total number of orphans). Beginning from 1996 the number of children sent to boarding institutions has grown. At the same time, it is known that the first half of the 1990s is particularly most unfavorable in the life of the country, but beginning from 1996-97 there has been improvement in social and economic indicators of the life of citizens. Consequently, **not only the deterioration of living conditions, but also some improvement in financial and material-technical base of boarding institutions should be sought to be the reason for the growth of the number of children in boarding institutions.**
- The number of orphans placed in child institutions (has increased more than 2.5 times), in boarding schools of general type (almost 3.5 times), in child boarding institutions for children with limited health abilities (about 3.5 times) is growing rather fast.
- In 2003 a little decrease took place in all indicators presented in the table. It doesn't seem possible to point out its exact reasons.

One can assume with great certainty that the main reason for placing the children in boarding institutions is not the loss of parents, but the change of social and economic indicators of the family status. **The guardians, foster parents, parents try to send the children to the institutions providing more material support (living, food, education, etc.). However, the children in these institutions turn out to be maximum separated from the family (or community, the usual environment of interaction).**

So, the above-stated allows the assumption that **in practice the changes in the state social policy, expressed in the improvement in the base of boarding institutions lead to the increase in the number of children placed in boarding institutions.**

*Diagram 3*



placement of children deprived of parental care

those being brought up in boarding institutions (in total)  
those being brought up in the families (on the basis of guardianship and trusteeship)  
those adopted by the families

***The state obligations with respect to children deprived of parental care.*** The Law of the Republic of Azerbaijan “On Social Security of Orphans and Children Deprived of Parental Care” determines the types of institutions intended for children deprived of parental care:

- institutions of education and (or) upbringing in which these children are maintained;
- child institutions of a family type;
- institutions of social security of population (child institutions; boarding institutions for mentally defective and physically handicapped children; subsidiary centers for social rehabilitation; social asylums);
- institutions of the health care system and other state and non-state institutions created in accordance with the law.

Guardianship and trusteeship are seen as forms of protection of the child’s rights and interests. Guardianship is established for children under 15, trusteeship is for children between 15 and 18. (The UN Convention does not determine any age restrictions for the establishment of guardianship and trusteeship. Each member country solves these questions taking into account their own traditions and cultural norms).

***What does the full state care mean?*** In accordance with the Law of the Republic of Azerbaijan “On Social Security of Orphans and Children Deprived of Parental Care” “the full state care for orphans and children deprived of parental care means granting orphans during their stay in the state or municipal institution, in the family of a guardian (a trustee) with free food, clothes and footwear, granting with residence, education and medical services or the full coverage of these expenses from the state budget”.

The amount of expenses on social security of orphans and children deprived of parental care is determined on the basis of minimum state standards established by the Cabinet of Ministers. The guardians (trustees) receive a monthly allowance in the amount of 5.500 manat (US \$1.1) per child under wardship till he/she is 16 years old (for children studying full time till the age of 18)<sup>16</sup>.

The adopted children are equaled in their rights with the biological children and that is why, the allowances for them are established in accordance with general procedure.

The District (City) Centre for Social Security of Population is the body determining the allowance for orphans given to the care of the guardian’s (trustee’s) family.

The allowances for the guardians (trustees) of orphans and children deprived of parental care are established without taking into account the incomes of the family (fixed). The allowances for the guardians (trustees) are established for the whole period of guardianship till the child is 16 years old (for those studying full-time till the age of 18).

The allowances for orphans (as well as for other categories of children from low-income families) are established for 1 calendar year. For these allowances to be established the guardian (trustee) shall annually submit a number of documents to the district (city) office for social security.

**Judging from the comparison of the procedures of placing the child in the boarding institution and his/her transfer to the guardian’s (trustee’s) care, the legalization of guardianship (trusteeship) is a more lingering and laborious procedure, requires legal proceedings, and then annual renewal of the data, while the maintenance of children from the state budget in boarding institutions exceeds more than 30 times the allowance**

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<sup>16</sup> Rules for identifying and allocating the allowances for the children from low-income families, developed by the Ministry of Finances, Ministry of Labour and Social Security of Population and the State Fund for Social Security (December 5, 1996)

**allocated for the guardian (trustee). If we take into consideration the fact that the child can stay in the boarding institution till the age of 18 (in child institutions for full-time students - till the age of 23), but under the guardianship only till the age of 16 (for full-time students - till the age of 18) it becomes quite obvious that the existing accommodation system of children stimulates sending them to boarding institutions.**

*Official registration of children deprived of parental care.* To regulate the procedure of registering the children deprived of parental care the Cabinet of Ministers of the country passed a decree “On Rules of Registration of Children Deprived of Parental Care and Adopted Children, as well as of Foreigners and Persons without Citizenship Willing to Adopt a Child Who is the Citizen of the Republic of Azerbaijan”. The rules determine the order of centralized registration of:

- a) children deprived of parental care to send them to be brought up in the family (adoption, guardianship or trusteeship or trustee’s family) or if there is no such an opportunity, to send them to educational, health institutions for social security of population and other analogous institutions;
- b) adopted children to carry out the control over the conditions of their maintenance, upbringing and education;
- c) persons willing to adopt a child;
- d) foreigners and persons without citizenship willing to adopt a child who is the citizen of the Republic of Azerbaijan.

The primary registration of children deprived of parental care is carried out by the bodies of guardianship and trusteeship under the local bodies of executive power (in the area of the child’s actual residence). The centralized registration of children under 3 is carried out by the Health Ministry, but the children above 3 - by the Ministry of Education. The rules bind the officials of the preschool, general educational, health and other institutions, as well as other citizens to inform the bodies of guardianship and trusteeship about the children deprived of parental care. Having received the information about the children deprived of parental care, the bodies of guardianship and trusteeship shall get acquainted within the three day period with the living conditions of the child, parents and other close relatives and enter the confirmed information in accordance with an established rule in the book of primary registration of children. *(This is rather a complicated question how, in practice, the body of guardianship can provide the temporary maintenance – even if for 3 days - of the child left without parental care, i.e. in the country, where there are no social asylums rendering appropriate urgent social services, including, in case of need, the work of a psychologist. The need in such services, first of all, is necessary for children who have become the victims or witnesses of violation, the children exposed to exploitation, etc.)*

If the child deprived of parental care is under the care of a child institution, boarding institution, another educational or health institution, the management of the institution must inform the bodies of guardianship and trusteeship within the period of seven days after they have found out that the child can be given for adoption.

If the bodies of guardianship and trusteeship failed to place the child within 1 month after receiving the appropriate notice about him/her, they shall send the information on the child to the Ministry of Education and the Health Ministry to put him/her on centralized books. The mentioned Ministries legalize the book of centralized registration of children deprived of parental care on the basis of the received information. This is the database on this category of children.

Further the Ministries “help the placement of the children in the family for upbringing”, “select the children for the persons willing to grow up children”, “inform the bodies of guardianship and trusteeship in order to solve the problem of adopting the children in accordance with the procedure established by the law”.

*Here the use of some notions and procedures is not quite clear, particularly:*

- 1) *the arrangement of the centralized registration is carried out following 1 month and only after the local bodies of guardianship and trusteeship have tried to solve the question on the child's placement in the family. This means that the book of centralized registration includes not all the children deprived of parental care, which, to a certain extent, changes the statistical data used in the analysis of the situation. Likewise one can assume that the number of the adopted children in accordance with the data of the centralized registration is a little less than their actual number;*
- 2) *Why does the document state "[they] select children for the persons willing to grow up children" when the adoption of children should meet, first of all, the child's interests. Such way of expressing the statement means that the document protects the interests of the adopting people more than the interests of the child.*

Likewise, the primary registration of the adopted children is carried out by the bodies of guardianship and trusteeship under the local bodies of power in the area of the child's factual residence on the basis of the court decision on adoption. The centralized registration of adoptions is carried out by the Health Ministry and the Ministry of Education.

The registration of the citizens of the Republic of Azerbaijan willing to adopt a child is carried out by the body of guardianship and trusteeship in the area of their residence. The registration of foreign citizens willing to adopt a child who is the citizen of the Republic of Azerbaijan is carried out by the Ministry of Foreign Affairs.

The activities of juridical or physical persons are not allowed except those of the bodies of guardianship and trusteeship under the executive power on the placement of children deprived of parental care.

**Thus, in the Republic of Azerbaijan the bodies of guardianship and trusteeship are the main body providing identification, arrangement of the registration, placement of the children left without parental care, as well as exercising the control over the conditions of their maintenance, upbringing and education.**

As it is obvious, the system sending children to the institution is multi-leveled (decisions are made in different instances on local and republican levels). It differs for:

- orphans,
- children under hard conditions,
- homeless children,
- "foundlings" (it is often impossible to identify the child's family),
- children whose parents refuse to fulfill their parental functions or are deprived of parental rights,
- children with health deficiencies.

Also, it is different for children of different age groups:

- from 0 to 3 years old
- from 3 to 16 years old.

The simultaneous existence of several schemes **complicates the system of undertaking the registration and control over the process of making decisions on sending children to boarding institutions. On the other hand, the responsibility for decision-making is divided among many actors, which reduces the personal responsibility of an official making a decision.**

### *The scheme of consideration of the question on the child's placement*

The decision on the child's placement in the boarding institution is considered by several bodies.

1. If the child was left by its mother right after the birth in the maternity house, the management of the maternity house informs about it the Health Ministry, the respective police office and local executive power. Further he/she is sent to the nursery house. In this case there can be two variants: 1) the parents are deprived of parental rights; 2) the parents are not deprived of parental rights. The decision about it is made by juridical bodies.
2. If the child at the age of 0-3 has been abandoned – the police agencies hand him/her in to the nursery house drawing up a statement, further the administration of the nurseryhouse informs about it the Health Ministry, the local executive power where the child will be registered as deprived of parental care.
3. The decision on the placement of orphans and children living under hard conditions (when being brought up by a single parent, disabled parent, one of the parents is in prison, the parents are unemployed, etc.) in the boarding institution is made by the commission on juvenile issues at the body of executive power of the district where the child resides and is sent to the respective Ministry.
4. The decision on the placement of the child in the boarding institutions within the system of the Ministry of Labour and Social Security of Population is made by the medical and pedagogical commission.
5. The so-called “problem children” to whom neglected children are often ascribed are also placed in boarding institutions. In this case the decision is made by the local district/city commission on juvenile affairs at the appeal of parents, administration of schools, inspectors on child issues from the respective police department. The decision is further directed to the bodies of local executive power (for information) and the Ministry of Education for the arrangement of the registration and assignment to the definite boarding institution.

*This, taking part in the process of making a decision on sending the child to the boarding institution at different stages are: bodies of local executive power (commission on juvenile issues and protection of their rights), the Ministry of Education, the Health Ministry, the Ministry of Labour and Social Security of Population, medical and pedagogical commissions, police agencies, juridical bodies.*

***Protection of the child's interests.*** The protection of these children's rights and legal interests is undertaken by the children themselves, the legal representatives, trustees (guardians), the respective bodies of executive power, juridical bodies and bodies of prosecutor's office, municipalities, as well as public and trade union organizations. The right to appeal to court is exercised also by the commission on juvenile issues and protection of their rights. In general, the law determines the goals of the commission as follows: **“the main goal of the commission is to make an educational impact on the juveniles, to protect their rights and legal interests, undertake the control over their behaviour, to prevent the perpetration of unlawful actions, to coordinate on these issues the activities of the state and local bodies of power, organizations and institutions irrespective of the form of their property”<sup>17</sup>.**

It must be noted that the commission is summoned to a larger extent to prevent the perpetration of unlawful actions by the teenagers, but not of unlawful actions of the adults in relation to children. This is explained also by the fact that when determining the number of the members of a local commission they take into consideration the number of the teenagers and the number of the law infringements committed by them, the level of juvenile delinquency in the district, the

<sup>17</sup> Law of the Republic of Azerbaijan “On the Status of the Commissions on Juvenile Issues and Protection of Their Rights”

number of the educational institutions, the number of the problem children and teenagers inclined to commit law infringements, the number of people with the past criminal history.

The obligations of the commission include the consideration of the cases sent by other state bodies and concerning the teenagers' delinquencies. In regard with orphans and children deprived of parental care, the obligations of the commission consist of consideration of issues concerning their property rights.

The commissions have the right to participate in the elaboration of and to control the process of accomplishment of programs related to the protection of teenagers' rights, improvement of their living conditions, health protection, getting education, prevention of negligence.

*Although the commissions have the right "to get acquainted with the teenagers' conditions of maintenance and upbringing in boarding institutions, child institutions, special educational institutions of open and closed types, in educational and health-educational institutions, as well as at the receptionists-distributors", in practice it is not realized, i.e. there is no mechanism of undertaking such supervision.*

According to the conclusion of lawyers-experts, the complications arise also in connection with the right to accomplish some control over the children's maintenance, because only the four types of control are determined in the country: a) parliamentary; b) juridical; c) administrative (control of the superior body over the correctness of the decision made by the inferior body) and d) public. In this case the control of the commission belongs to the types of the public control, which does not give the right to give judgment of juridical consequences<sup>18</sup>. According to the same source, due to their characteristics the commissions hold a special place among the state bodies, i.e. are not provided with all necessary powers.

**The Commissions on juvenile issues and protection of their rights are provided with wide powers, however do not have an effective mechanism of their realization, concentrate their efforts on the consideration of the issues raised by other organizations and in regard with a small contingent of children. Presently they are not a coordinating body yet, do not have (program, personnel and technical) potentials to hold a monitoring of fulfillment of children's rights.**

**Thus, for the commissions to become an authorized body implementing gate-keeping in the program of de-institutionalization, it is necessary to improve its Status, as well as program, administrative and personnel consolidation.**

**In which cases are parents deprived of the right to bring up their children?** In case of infringement of the child's rights and legal interests, including if parents (a parent) do(does) not fulfill their duties in regard with education and upbringing, or abuse their rights<sup>19</sup>, the child can appeal to the respective body of executive power and after reaching the age of 14 to juridical bodies by way of protecting his/her rights. It should be noted that in practice there have not been such appeals on the part of children so far, the applicants on the question are only adults<sup>20</sup>.

If the court determines that parents or other people, with whom the child lives, do not provide their upbringing and development, then by the decision of court the child can be transferred to the care of the respective executive body.

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<sup>18</sup> See I.Jafarov, "Comments on the "Decree on Commissions on Juvenile Issues and Protection of Their Rights", Baku, 2003.

<sup>19</sup> the refusal from fulfillment of parental duties means:

- malicious refusal from paying alimony;
- refusal without valid reasons to take one's child from the maternity house, either from another health, educational institution of social security of population or from other analogous institutions;
- abuse of one's parental rights;
- cruel treatment of children, exercising a physical or psychological pressure on them;
- are chronic alcoholics and drug abusers;

- when committing premeditated crime against the children's and spouse's health and life.

<sup>20</sup> The Family Code of the Republic of Azerbaijan

The child can be adopted after 6 months has elapsed since the pronouncement of sentence on parents' (a parent's) deprivation of their rights.

The restoration of the parents' rights is carried out by court on the basis of the applications submitted by them. Taking into consideration the child's opinion, the court can turn down the application, if it contradicts the child's interests. The restoration of the parental rights in regard with the child reaching the age of 10 can only be with his/her consent. The restoration of parental rights is impossible if the child has been adopted.

**Types of institutions.** All the existing institutions – presently they are 66 – are grouped in 6 types under the auspices of three ministries: the Ministry of Education (60), the Health Ministry (4), the Ministry of Labour and Social Security of Population (2). Thus, The Ministry of Education supervises four types of boarding institutions and both the Health Ministry (a nursery house) and the Ministry of Labour and Social Security of Population (a boarding child institution for children with mental deficiencies) supervise one type each. The Type Regulations, confirmed by the Cabinet of Ministers of the country should be considered as a basis for such a typological classification. This document determines that child institutions are created to provide education, upbringing, financial support, creation of normal living conditions and social security of orphans and children deprived of parental care. Establishment, change of the type of institutions and termination of the activities of child institutions are carried out in accordance with the procedures, stipulated by the Cabinet of Ministers of the Republic of Azerbaijan. The document points out the possible types of institutions:

- for children of preschool age,
- Of school age,
- Of a mixed type for preschool and school age children.

Also, it is possible to create separate special child institutions for children with physical and mental health deficiencies or for children in need of long treatment. The existence of the appropriate contingent of children and the appropriate financial and educational bases serves as a basis for opening such type of institutions.

The present Regulations identify the contingent of children who can be placed in child institutions. These are orphans (having lost both parents), as well as children deprived of parental care for different reasons (imprisonment, psychological disease of parents, decline from fulfilling the parental duties, deprivation of parental rights, etc.). The children who are being brought up by a single parent and live under hard physical and living conditions can be placed in child institutions if there are no boarding schools in the territory.

All the investigations<sup>21</sup> to study the children's conditions in boarding institutions show that the contingent of children in boarding institutions does not correspond to the title (type) of the institution in full measure. Thus, the children who have parents are placed in child institutions for orphans. Mainly the children from low-income families living in the same settlement study in boarding schools of general type, i.e. these boarding institutions have been transformed into "schools for the needy". The titles of institutions indicated at the entrance not always corresponds the accepted typological classification, which causes some confusion.

It should be underlined that the discrepancy between the children's contingent and the title of the institution is not a technical problem or the problem of terminology. **Such a situation mainly means the lack of target of support, i.e. the state social support for orphans realized through boarding institutions is in reality distributed among a wider base of children and the criteria for assigning children to boarding institutions remain vague.**

**Divergence of statistical data.** The data on boarding institutions have been prepared by the State Statistic Committee. However, there are some divergences from the data provided by other state sources, such as in the report of the representative of the Cabinet of Ministers to

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<sup>21</sup>The studies conducted by UAFA and EC Food Security Program, as well as the present investigation

the conference on de-institutionalization (March, 2004); in the second periodical report of the Government of Azerbaijan before the UNO on the observance of “The Convention on Child Rights” (the end of 2003). These very data are presented in the preamble to the State Program on Reduction of Poverty and Economic Development for 2003-2005. In their investigations EC Food Security Program, UAFA provide the data that differ even more<sup>22</sup>. These divergences at best are the results of the difference in the methodology of checking the organizations and the number of children in them. **Thus, one of the problems is the lack of accurate typological classification of institutions and the data on the number of children. This is a serious obstacle in determining the starting point at which the program of de-institutionalization in the country is launched and it will interfere during the evaluation of the efficiency of the program developed from a position of protection of the best interests of children under hard conditions.**

**System of guidance.** The boarding institutions of the Ministry of Education can be under direct subordination of the Ministry as well as of the respective district/city department of public education. The criteria for such division are not clear and were interpreted differently by officials. Most often they referred to the historical document, consolidating such guidance. The institutions of the Health Ministry and the Ministry of Labour and Social Security of Population are under the guidance of the same ministries. Bodies of local executive power also exert influence to a certain extent – which, however, concerns the practical issues and does not affect the content of the work. The directors of boarding institutions solve all the issues related to the children’s placement in boarding institutions and their departure from institutions, the content of the work, formation of staff’s payment schedule, budget, equipment purchase, repairs, etc. with the guiding Ministry. Issues on accomplishing the extra repair work, water, gas, electric and heating supply, etc. are solved through the local executive power.

**Services rendered by boarding institutions.** The division of boarding institutions among the 3 Ministries takes place depending on the services they are providing.

1. **Nursery houses** mainly provide medical care for children which means regular feeding, change of linen, doctor’s supervision over the sick children. The staff of caregivers is restricted and for that reason, they also carry out the functions of a baby-sitter.
2. **Child institutions** mainly take care of providing living conditions for children, their food, upbringing and education. Back a few years ago children still attended school in child institutions. Only for the last years it has been confirmed that the children should be sent to general secondary schools. However, the authorities of a number of child institutions continue discussions on this issue.

*There is a fact that in accordance with the agreement with the local bodies of executive bodies the management of the child institution opened a school within the institution, with the motivation that children could not attend school alone without supervision. Then additional financial means for maintaining the school and the pedagogical personnel were found (Further after the checking by the Ministry of Finances the school within the child institution was closed).*

The pedagogues of the child institution help children to do their homework, work with the children lagging behind. The caregivers carry out general supervision over the children, the staff of doctors is restricted and bound to render first aid. To develop the children, circles are created in the child institution: musical, drawing, sowing, handicraft.

The children’s interest in sports circles is quite high, however the conditions for going in for sports within the child institution are limited, and sending them to sections causes difficulties both of material and technical nature – to escort the children is troublesome, and the

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<sup>22</sup> See the same sources

management does not dare to let them by themselves, because they carry responsibility for the child's security. In the course of investigation we identified that the carpet-weaving circles exist practically in all the institutions. In some boarding institutions children spend there all their free time, often, as they themselves mentioned, to the detriment of other activities, and sometimes even of the lessons at school.

3. **Boarding-schools for orphans and children deprived of parental care** are schools by their essence. In addition to education, children are provided with food and caregivers' care. The children can stay here during the school week, but as a rule, go home at weekends, on public holidays and vacations. The school provides the children with textbooks and school articles.

*The following fact should be taken into consideration. There are only 2 boarding schools for orphans and children deprived of parental care in Azerbaijan. Both the schools are located in Baku (in settlements Mashtagha and Mardakan), but serve the entire republic. Such dislocation obviously leads to the fact that children from remote districts placed at school practically lose contact with their "extended" family, relatives, and community. The investigation shows that even in summer the children who had not only relatives, but also parents remained at school. So, although boarding schools were once thought of as a form of permanent social support, which meets more the children's interests to live in the family, not to be separated from the family, are in practice changing their essence, becoming all the more like child institutions. Given that in these institutions the school is located "inside", such kind of form restricts the child's interaction with the outside world even more than it is the case in the child institution, this isolates him/her even more.*

4. **Boarding schools for children with limited health abilities** are intended for children whom the medical and pedagogical commission considers incapable to go to an ordinary school. Depending on the program these schools are grouped as follows:

- Schools for children with mental deficiencies
- Schools for children with poor eyesight (the blind)
- Schools for the deaf (deaf mute)
- Schools for children with poor hearing ability or those who have become deaf as a result
- Schools for children with chronic poliomyelitis and infantile cerebral paralysis
- For children with speech defects
- Other limitations

The school provides education on the basis of a special program (ordinary program of a secondary school which is acquired for 12 years instead of 11), on the basis of a simplified program, on the basis of a program for an incomplete secondary school. The caregivers of the school provide care for children, the medical personnel watch over the health conditions. Yet in the school program there are almost no lessons to develop skills for independent vital activities.

5. **Boarding institutions for children with deficiencies in mental development** (under the guidance of the Ministry of Labour and Social Security of Population). Their main difference from boarding schools for children with developmental deficiencies is that children with deeper level of developmental retardation are placed here, and they are intended for placement of children for longer period. Children who get the respective conclusion of the medical and pedagogical commission are considered "unteachable" and that is why their education is restricted to the program of primary school (4 classes). In fact, the main function of boarding institutions is to provide shelter and basic material and life conditions. Education, development and medical services are extremely limited.

6. Boarding institutions of general type are intended for placement of children from crisis families (they are brought up by one of the parents or the parents are sick, imprisoned, deprived of parental rights, etc.). The main services are education, upbringing, provision with

material and life conditions. Children stay here temporarily, and live periodically in their families. In boarding institutions the number of orphans does not exceed 10%. As a rule, for the last years children living in immediate proximity, children of the boarding institution personnel have resided here.

**Institutions for the maintenance of problem children.** Alongside with the boarding institutions there are special schools “for children and teenagers in need of serious upbringing work” in the country. The existence of these schools goes back to the soviet period in the country’s history, however, new Regulations of these schools have been confirmed by the decision of the Cabinet of Ministers of the Republic of Azerbaijan. Special schools are created “in order to provide surroundings for pedagogical control, to provide continuation of education and re-upbringing of children and teenagers whose upbringing under family conditions is impossible, as well as of children violating the School Regulations and regularly avoiding studies, refusing to recognize the community rules, inclined to lead an idle life style, as well as of those committing law-infringements, crimes”.

Special schools are opened in accordance with order and are under the guidance of the Ministry of Education. The activities of the given schools are under the respective control of the bodies of the prosecutor’s office.

Special schools admit boys at the age 11-14, the girls at the age 11-18. Children can stay at school not more than 3 years, but in exceptional cases (parents’ death, the necessity to accomplish studies) boys can be left at school until they are 16 years old. The initiators of sending children to special schools can be parents or their replacements, the pedagogical board of school, police agencies, community representatives.

Children’s assignment to school can only be possible on the basis of the decision by one of the following bodies:

- juridical bodies;
- district (city) commission on juvenile issues under the local body of executive power;
- district (city) department of public education.

The structure of the staff and the estimate of the expenditure of special schools are confirmed by the Ministry of Education, financing is carried out from the republican budget.

In addition to the main budget, special schools can get profit from the exploitation of the subsidiary farms, from the sale of products, goods, hand-made articles of pupils and teachers. Industrial areas, small enterprises can be created at school for jobs in which children can be involved as labour education for 2-3 hours a day. (In general, this situation is in some contradiction with the Labour Code, which determines that labour agreement can be concluded with children at the age of 15). To save means obtained from subsidiary activities, schools can open special accounts in the local offices of banks.

There are 2 special schools in the country (Baku, Guba), intended for the maintenance of boys. Both schools serve the entire republic.

It should be noted that in the course of polling in boarding institutions children repeatedly mentioned these schools. They are well informed about the existence of these schools, because practically in all boarding institutions there are children who have been placed in special schools for some time. Assignment to these schools is considered by them as a kind of punishment, which can be applied by the administration in regard with the child who has “violated the internal order of the boarding institution (child institution).

***The duration of the stay in the boarding institution.*** The duration of the child’s stay in the boarding institution is restricted only to the child’s age:

- in the nursery house – to the age of 3;
- in the boarding school – till finishing school;
- in the child institution – till the age of 18, in exceptional cases – till the age of 23.

It must be noted that “In the Type Regulations on Child Institutions” the duration of the child’s stay there is not restricted, but the administration of the institution has the right to raise a question on deprivation of parental rights in regard with a single mother or father, if they do not meet the child, are not interested in his/her fate without valid reasons for more than 6 months. Being trustees, the heads of boarding institutions, have enormous rights to bring up the child rather than his/her parents.

**Dislocation of institutions.** A considerable majority of institutions are located in Baku and on the Apsheron Peninsular (more than 2/3), less than 1/3 of the institutions are in big cities, regional centers. In the consequence, the following takes place:

1. more than half of the children are enrolled in child institutions from remote districts and therefore they seldom visit their families;
2. on the contrary, in boarding schools (especially in those located outside Baku) the main contingent are children from low-income families living not far from school and children of the institution personnel.

**Thus, the centralization of boarding institutions, the absence of flexible centers of alternative social services for support and development of children in sites lead, on the one hand, to the child’s separation from the family and community. On the other hand, it leads to the lack of target of social support and inefficient use of the state financial resources.**

**Financing of institutions.** There is a remarkable discrepancy in the financing of boarding institutions. As a rule, it depends on the number of children. It is higher in boarding institutions under the guidance of the Health Ministry, then comes the institutions of the Ministry of Labour and Social Security of Population and at last the institutions under the guidance of the Ministry of Education.

The present study did not target at identifying the volume of resources spent on the maintenance of children and institutions. These questions were the subject of the study conducted through other investigations.

**Table 4.** *Financing of boarding institutions, European Commission on Food Security Presentation for the working group on de-institutionalization (2004)*

	Monthly expenses per child	Including food
Institutions financed from the central budget	423859	119542
Institutions financed from the local budget	179320	70207
<b>On average</b>	<b>209564</b>	<b>76309</b>
Child institutions	346491	159140
Boarding schools for orphans	424874	180047
Nursery house	510915	99683
Boarding schools for children with limited health	352175	107551
Boarding institutions for children with deficiencies in mental development	376908	167793
Boarding schools of general type	134350	52803

Despite the honesty of the studies, the obtained outcomes do not allow the quite vivid picture, but determine the questions to which there are not answers yet. It is obvious that on average for one child 209 thousand manats are spent per month out of which 76 thousand manats are the expenses on food (about 2500 manats per day). The institutions financed from the central budget receive resources in terms of one child 2.3 times more than those financed from the local budget.

The logic that 1.2 times more resources are allocated for one child placed in the boarding school than for the same child in the child institution (1.13 times more expenses on food) is not clear.

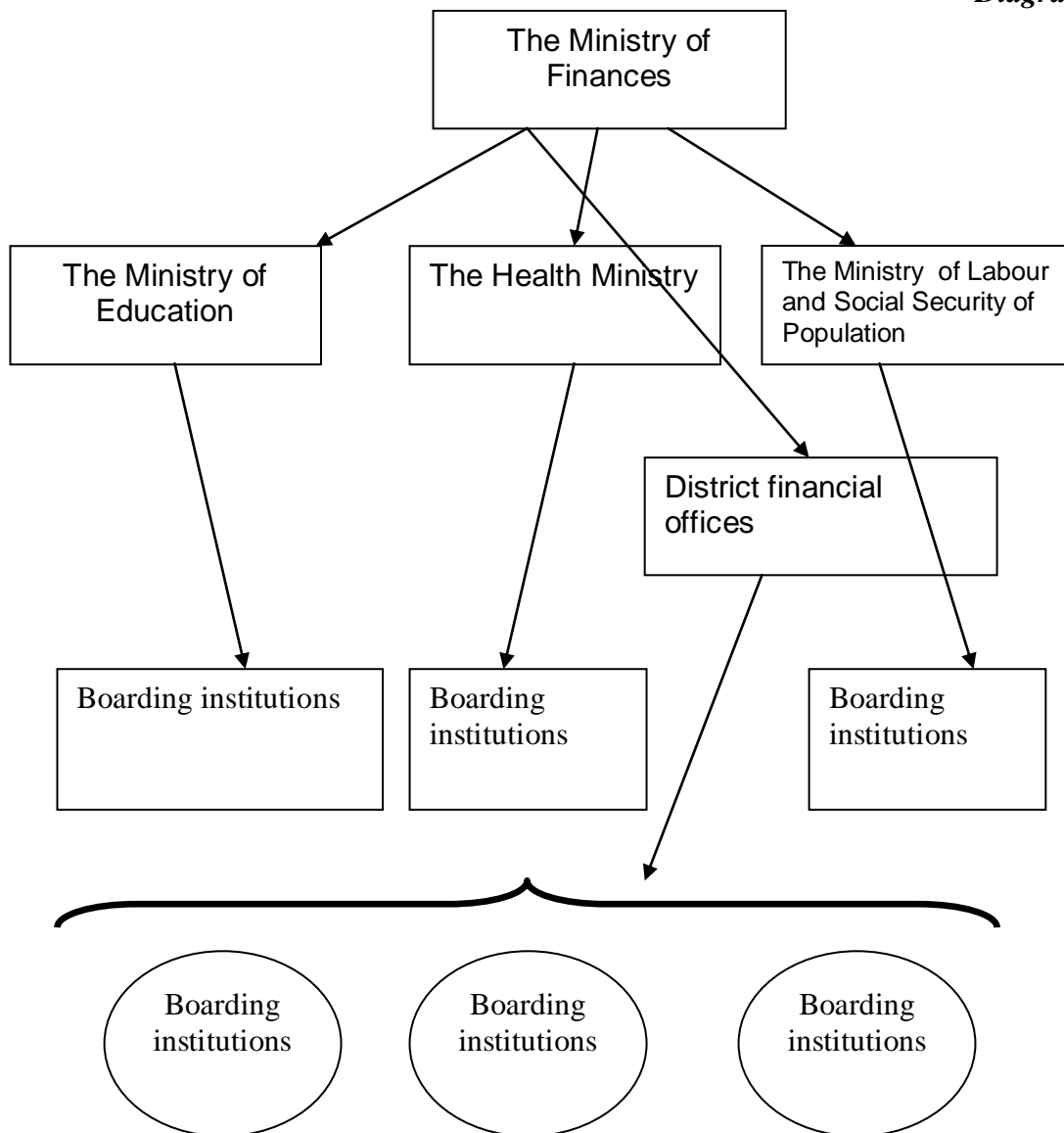
The volume of financing of the institutions of the educational system depends on the number of children in the boarding institution (the number of the institution staff also depends on the number of children). As the admission into the institution and the children's departure from boarding institutions can take place the whole year long, they rely on some average statistical number of children determined by the end of the year. Also, boarding institutions can get material and other support from other organizations: for the repairs of the building, heating, water supply, sanitation and other systems; purchase of furniture, food products, toys, equipment (computers, TV sets, cassette-players, air-conditioners); holding social occasions, organization of leisure time.

It has already been pointed out that part of boarding institutions are under direct guidance of the Ministries and financed from the budget of the Ministry (when the budget of the Ministry is formed, the budget of these institutions are included in it). Another (big) part of boarding institutions get resources from the district financial office. These institutions report on the expenditure of the resources before different instances and according to different schedules. **It must be underlined here that in the first, as well as second cases boarding institutions are financed from the central state budget, but not from the local (district or city) one.** Simply in the first case the Ministry of Finances sends the resources to the guiding Ministry, but in the second case to the district (city) financial office.

All the above-stated directly testifies to the lack of standards defining the norms of maintenance in boarding institutions. Thus, **there are no clear and understandable standards in the financial issues of boarding schools.**

*The scheme of financing the boarding institutions.* It has already been mentioned that the number of children staying in boarding institutions serves as a basis for the formation of their budgets.

Diagram 4



**Monitoring and evaluation.** In the legislation there are some references to the bodies, which have the right “to get acquainted with the children’s conditions in boarding institutions. As it has already been mentioned these are commissions on guardianship and commissions on juvenile affairs. However, the challenge is that the mechanism of undertaking such evaluation, the criteria and standards, which must be evaluated, are not identified. As a rule, the guiding Ministry and the commissions of financial offices are the checking bodies.

In the course of study the fact that children staying in institutions do not know to whom and how they can appeal if their right is violated by the administration caused a special concern.

PAGES 29, 30, 31

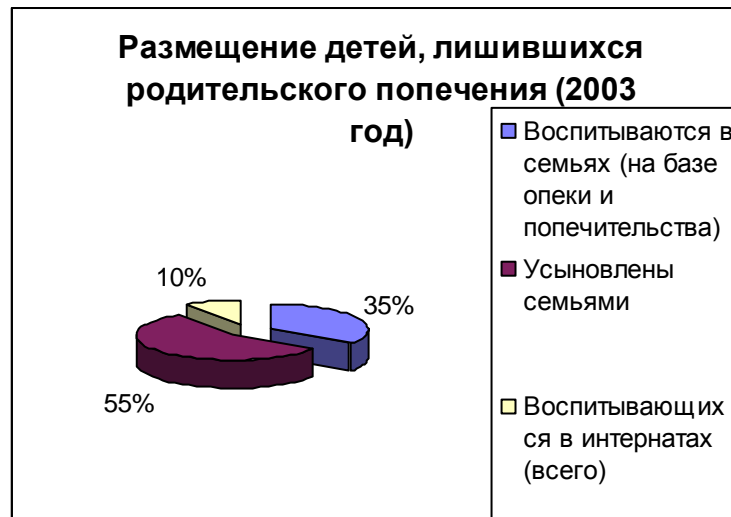
**Table 3. Placement of children  
deprived of parental care  
(data for the end of the year)**  
*The State Statistics Committee, "Children of Azerbaijan", 2004*

	1997	1998	1999	2000	2001	2002	2003
Identified orphans and children deprived of parental care (in total)	1248	1255	1135	1027	1004	1047	1060
Out of them those placed in boarding institutions	99	102	221	127	160	107	93
Adopted by the families, Those being brought up in the families (on the basis of guardianship and trusteeship)	1149	1153	913	900	844	940	967

**Table 4. Placement of children deprived of parental care**  
*The State Statistics Committee, "Children of Azerbaijan", 2004*  
*The State Statistics Committee, "Statistical Indicators of Azerbaijan", 2000*

	1990	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Orphans and children deprived of parental care (in total)	21807	23143	23337	24192	23668	24468	25375	26065	26250	26977	27275	28055	26494
Out of them:	6674	7622	7920	8176	7976	8130	8444	8677	8787	9036	9090	9295	9215
Those being brought up in the families (on the basis of guardianship and trusteeship)													
Adopted by the families	13673	14247	14368	14693	14560	14630	14853	14959	15063	15089	15001	14962	14749
Those being brought up in boarding institutions (in total)	1460	1274	1049	1323	1132	1708	2018	2429	2400	2852	3184	3798	2530
Out of them	150	80	94	128	96	90	122	115	122	107	101	85	87
- nursery house													
- child institution	50	230	148	136	101	81	105	130	117	139	207	266	249
- boarding schools for orphans	505	312	382	290	293	368	349	345	347	368	356	342	348
- boarding schools of general type	595	445	222	610	502	914	1181	1481	1402	1755	2095	2692	1586
- boarding schools for children with health limitations	90	152	148	119	105	190	236	273	272	280	181	228	136
Boarding institutions for children with health deficiencies	70	55	55	40	35	65	85	85	140	203	244	185	154

*Diagram 1*





Placement of children deprived of parental care (2003)

Those being brought up in the families (in the basis of guardianship and trusteeship)

Adopted by the families

Those being brought up in boarding institutions (total)

PAGES 29, 30, 31

## **THE OUTCOMES**

The above-stated allows to conclude as follows:

1. The legislation shows the responsibility of the state and family in connection with the children in a difficult situation, however it is not clear by whom and how the control over it will be exercised. It is especially complicated and vague in case when the child's rights are violated in the family.
2. The legislation declares the necessity of transferring children left without parental care to the families, admits the possibility of transferring children to a family for upbringing for a certain time, however a mechanism with such designation does not exist yet.
3. The system of identification, decision-making, placement, control over the maintenance of children in a difficult life situation, is very complicated, vague and hard to understand. There is no approach to it as a whole.
4. The existing scheme of children's placement doesn't allow taking reliable and regular measures.
5. The standards of activities of boarding institutions are not defined clearly and do not correspond to the approaches proceeding from the maintenance of the children's best rights.
6. The commissions on guardianship and trusteeship and the commissions on juvenile issues and protection of their rights have identical goals, a similar target group, they are formed out of the same few specialists who are responsible for the work with children, the chairperson of both commissions is one and the same official which indicates the appropriateness of joining up these structures to protect children's best rights.
7. The existing system of support to children and financing of boarding institutions stimulates unequivocally the parents (guardians) to send the children to boarding institutions.
8. Presently boarding institutions do not always meet their primary goals. The services rendered by them lack a definite address. Orphans comprise about 10% of the total number of children in boarding institutions.
9. There is no reliable and transparent scheme of evaluation of the situation in boarding institutions, as well as the correctness of making decisions on sending children to boarding institutions.
10. Creation of alternative services is being delayed. There are no pilot projects that could model the gate-keeping mechanism, also redirection of financial resources to use them more effectively for the protection of the rights of children in crisis.

## **Recommendations**

1. It is necessary to bring all the legislation to conformity with new approaches in connection with children in crisis.
2. There must be a structure undertaking a general coordination and evaluation of the situation with children in a difficult situation.
3. It is necessary to form an information system that characterizes the situation as a whole and provides clear, measurable data. It is reasonable to prepare an annual report on the state of children in crisis.

4. It is necessary to carry our pilot projects modeling the scheme of gate-keeping activities, re-direction of finances, creation of alternative social services.

**Table 1. Boarding institutions for children**

	1995	1997	1999	2000	2002	2004
Nursery houses	4	4	4	4	4	4
The number of children in them,	166	181	184	197	173	152
Including orphans	96	122	122	107	85	57
Child institutions	4	4	5	6	6	6
The number of children in them	395	461	608	684	749	750
Boarding schools for orphans and children deprived of parental care	2	2	2	2	2	3
The number of children in them	548	616	569	554	540	500
Boarding schools for children physical and mental health limitations *	13	13	14	13/15	12	12/14
The number of children in them*	1607	2132	2498	2679/ 3000	2860	2933/ 3272
Boarding institutions for children with mental limitations	2	2	2	2	2	2
The number of children in them	271	262	302	300	359	366
Boarding institutions of general type*	38	38	38	38	39	39/33
The number of children in them	15,2	16,5	17,1	17,6	18,9	18,8
The total number of children in boarding institutions	18187	20152	21261	22014 22335	23581	23501 23840

- The data presented by the State Statistics Committee and in the report of the representative of the Cabinet of Ministers to the Conference on De-institutionalization (March, 2004)
- The comparison of the data in the highlighted cells indicates the quantity of the change in the data.

**Table 2. Special schools and boarding schools for children with limited health abilities**  
*The State Statistics Committee "Children of Azerbaijan", 2004*

	The number of schools						Those studying in them					
	1990-1991	1995-1996	1998-1999	2001-2002	2002-2003	2003-2004	1990-1991	1995-1996	1998-1999	2001-2002	2002-2003	2003-2004
Special schools for children with limited health (in total)	22	18	21	20	19	20	4123	3257	4644	4789	5060	5313
Out of them: those with limited mental abilities	13	7	10	11	9	9	2171	1228	1784	2085	2288	2344
Blind	1	1	1	1	1	2	202	158	212	256	262	271
Deaf (deaf-and-dumb)	2	2	2	2	2	2	587	486	486	616	643	679
Those who are hard in hearing and consequently become deaf	1	1	1	1	1	1	281	175	163	182	183	182
Those with chronic poliomyelitis and cerebral paralysis	1	1	1	1	1	1	117	141	132	222	231	228
Those with speech defect	2	3	3	2	2	2	307	367	444	508	472	519
Others	2	3	4	2	3	3	458	702	747	920	981	1090
In special classes of general secondary schools	-	-		-	-	-	1127	908	676	564	555	581

In order to identify the total number of children with limited abilities involved in education it is necessary to add the data in the first line (the total number of those enrolled in special schools for children with limited health) to the number in the last line (the number of children in special classes of general secondary schools).

**The methodology of conducting surveys**

The research was conducted with the method of deep interviewing (with the exception of the cases with “occasional passers-by” who were interviewed on the basis of the questionnaire containing closed questions). The children were interviewed in focus groups. In each of the child institutions the survey of children was conducted in 2 focus groups. In order to achieve the homogeneity of the focus groups they were formed of children whose age difference did not exceed 2-3 years, most often these were groups of children at 8-11 and at 13-15. A focus group consisted of 8 persons on average, sometimes 6, and rarely 10-11 persons. Large groups were characterized with children from a younger age group. Children in these groups were less active than in older ones.

In each case to participate in the focus group, children were selected from among those willing to take part in the survey, i.e. the principle of voluntariness was provided.

The survey was conducted anonymously, the confidentiality of the respondents was guaranteed.

The interview was held by the interviewers working in pairs: one of the interviewers conducted the survey, the other one acted as a recorder. All the answers were recorded onto the audiocassettes and will be kept in the office of the NGO.

The interview was held in accordance with the questions included in the questionnaire for the interview (the standardized interview through the guide). The questionnaires included 6 blocks with 3 questions in each. These blocks “The path leading to the boarding institution”, “The impact of boarding institutions on children’s development”, “Life standards/conditions”, “The attitude of the surrounding”, “Gate-keeping”, “Alternative services”. Each block included 3 questions “What?” (The description of the problem; How is it understood by the respondent?), “Why?” (Why did the problem arise or why is this situation a problem for the respondent?), “Who?” (Who can or must solve the problem?)

All the questionnaires were made up taking into consideration the psychology of the respondents (the children in boarding institutions and their parents). The questions were made up in such a way that the children could answer them without feeling shy in the other children’s presence. It was important that the questions did not belittle them or did not provoke a resentful-negative attitude in them, for instance towards the parents, the institution, the life situation in which they found themselves.

***The Formation of the Selective Totality of the Sociological Research*****The Evaluation of General and Selective Totalities**

The general totality of the research includes the children living in boarding institutions.

To achieve the representative nature, the selective totality should correspond to the proportion of the general totality. In accordance with the type of research and its goals the chosen parameters were:

- types of boarding institutions/belonging to different ministries
- gender-and-age composition of children
- geographical distribution

In this research the representative nature of selection was provided on the basis of these parameters (See the table).

**Table.** *Boarding institutions where the surveys were conducted*

№	The name of the institution	Location	Type of the institution
1.	Nursery house	Baku	ДГР

2.	Nursery house	Ganja	ДГР
3.	Child institution #1 for orphans	Azizbeyov	ДД
4.	Child institution #3 for orphans	Khatai	ДД
5.	Child institution #2 for orphans	Surakhani	ДД
6.	Boarding school #2 for orphans	Nizami	ШИДС
7.	Child institution	Lenkaran	ИОТ
8.	Boarding institutions of general type	Goychay	ИОТ
9.	Boarding institutions of general type	Shaki	ИОТ
10.	Special boarding school #11 for children with mental retardation, Bilga	Sabunchu	СШИДОЗ
11.	Special boarding school #45 for children with mental retardation	Ganja	СШИДОЗ
12.	Special school for children with limited health	Baku	СШДОЗ

The quantity of selection depends on the degree of homogeneity of the studied subjects. Taking into consideration the homogeneity of the subject of the research, also the method of interview (a deep interview), the present selection corresponds to and yields results within the quantity of possible errors.

Quantity methods of interview (interviews in the focus groups and a deep interview) were used to achieve the goals of the present research. Meanwhile the actors of the project proceeded from the assumption that focus groups are more often used for the realization of the following goals:

- to generate ideas;
- to check the hypotheses for quantity researches;
- to interpret the outcomes of the quantity researches;
- to study the peculiarities of the behaviour of separate groups of people.

In the course of the project 16 focus groups were formed (14 in the state boarding institutions and 2 control focus groups). Such big number of the focus groups made it possible to conduct a sufficiently complete analysis of the situation (in Sociology it is considered sufficient to hold from 2 to 4 focus groups).

### *The Analysis of the Focus-Group Data*

The audio and video records were decoded; shorthand reports were put down on paper. The reports were supplemented with the description of the group participants' non-verbal reactions. The analysis of the focus-group outcomes was conducted with the method of content-analysis (the most common method), also partly was used the method of context-analysis.

Pages 32-49

## Description of the Results

### **1. Children Living in Boarding Institutions**

Children living in boarding institutions are shy, reserved, not independent in their statements. When answering the questions they try to recall what they have been told about it, speak with learned, standard, short phrases. Their emotions are rarely expressed with words – there are few descriptions, attributes in their speech, they often use the verbs denoting action. Most often they repeat the idea already uttered by a boy or a girl leading in the group. Even very easy questions make them keep long silence, meanwhile they are not thinking over the answers, but are simply distracted.

#### *1.1. Ways leading to the institution*

***What do the children know about boarding institutions before their admission there?*** Children living in child institutions, as a rule, cannot remember what they knew about boarding institutions before their admission there, as many of them were placed there when they were quite young, or were transferred there from the nursery house. Some children point out that their elder brothers/sisters, other familiar children lived in the boarding institution, and however do not remember what those children told them about the boarding institution.

Some children remember how their parents made a decision to send them to the boarding institution. It is curious to mention that practically all of them draw a sharp distinction between these 2 periods of their life. It is obvious from their statements: “I was playing in the yard (I lived at home) when my grandma (uncle, father, somebody familiar to the family) came and said that he/she had heard about an institution in the city where just such children lived”.

The children remember well which adult suggested an idea of sending the child to the boarding institution. They also point out that the parents did not make this decision immediately: almost all of them were concerned over the life conditions in the boarding institution. The questions on food and the institution staff’s strict treatment of children caused great concern.

Question	Answers	Notes
What did you know about the boarding institution before your admission there?	I knew nothing	<ul style="list-style-type: none"> <li>This is how the children long time absent from their families answer</li> </ul>
		<ul style="list-style-type: none"> <li></li> </ul>
	My brother/sister, acquaintances, neighbour’s children live here	<ul style="list-style-type: none"> <li>However those interviewed couldn’t (didn’t want to?) remember what the children from the boarding institution or their parents had told them.</li> <li>Parents turn to the services in the boarding institutions as “a supplementary means for the poor”.</li> </ul>
	There are bad conditions in the boarding institution and the children are badly treated here	<ul style="list-style-type: none"> <li>Such kind of answers belonged to the children-leaders in the focus group.</li> </ul>
	The older children said that it was good here and that they could continue their studies, be better brought up	Getting an education at an ordinary school is problematic for the poor families

	The children tried to avoid negative descriptions of the boarding institution	<ul style="list-style-type: none"> <li>• The children do not want to be pitied on;</li> <li>• They “protect” their parents, family from a public reprimand;</li> <li>• The families and particularly the institution staff regularly conduct talks on a positive impact of the boarding institution on their fate.</li> </ul>
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The children and their parents do not have any objective information on the life of the boarding institution before the child’s admission in the boarding institution; their knowledge is often based on the information obtained in private life. It is paradoxical that although the primary information is more often negative, anyway parents make this decision, sometimes under the influence of the relatives, neighbours, and institution staff.

***The reasons for the placement in boarding institutions.*** In children’s opinion, the main reasons for children’s placement in boarding institutions are:

- poverty, unemployment;
- break-up of the family;
- parents’ death;
- parents’ imprisonment;
- the family’s lack of ability to provide the children’s education and upbringing within the family (the reasons are presented in a sequential order of frequency with which they were indicated).

When making a decision to send the child to the boarding institution, parents reason that “children here are friendly, well brought up”. It is somewhat strange, because it does not answer the main reason for which children are sent to boarding institutions – poverty.

When describing the situations that led them to the boarding institution, the children used the expressions “when I was abandoned here”, “the parents did not want me”. The participants of the focus group were rather open, but it was clear that they did not discuss these questions among themselves, though they are very interested in the story of each new-comer and know very well who are in the boarding institution and for what reason.

The children answer more distinctly the question on how children are placed in boarding institutions, point out all possible reasons, but they are poorly informed on when, how and where children go from boarding institutions. The following variants were pointed out:

- they can be taken by the parents;
- adopted;
- go to serve in the army;
- enter the institute (?)

There were watchful variants as well: “Boys go to serve in the army, and girls to Baku into the colony” (a boy from the boarding school in Shaki).

And the variants “they return to their family” and “they go to serve in the army” are mentioned by them almost with the same frequency.

The older children take this question very seriously (in all the interviewed groups the children lost good spirits considerably when this question was asked). They think that this is one of the key problems in their present life – where to go after leaving the boarding institution. It should be noted that the children who were placed here in childhood and have been here for many years: a) are not sure that the parents will take them, b) nurse grievance against their family/closest relatives; c) do not know how to form their relations in their family which has become alien to them in this period. Future seems to them complicated, they do not see who can render them assistance. As compared with the uncertainty of their future, they appreciate the present as the most careless space of time in their life.

**“Would you invite other children to live in the institution?”** This question made it possible to hear the children’s most open statements. Part of them answered “no, never” immediately and flatly and explained it with the argument that only orphans or street children should be placed in boarding institutions; the children who have families should live in the family. Another part (this comprises mostly younger children) say that they would like it, because they are bored here, they would like to play with their friends.

**1.2. The impact of the institution on children’s development**

The children can describe the life in the family with great difficulty and therefore it is hard for them to compare it with the life in the boarding institution. Most often they say by heart that the life in the boarding institution is very similar to the one in the family. Then they add that there is a strict regime in the boarding institution, they are not free to choose their pastime. The older children point out that they are scared of the life in the family, they do not imagine how to live in the family and think that they cannot get used to another regime and mutual relations (a girl of 16: “I am afraid of it. I don’t know what living in the family means. I have never done anything by myself – haven’t cooked, haven’t laid the table, haven’t cleaned... I think I cannot do it well”). A small part of the children noted that they didn’t want to live in the family of their parents because they had sent them to boarding institutions.

The suggestion to define the difference between the life in the family and in the boarding institution caused a difficulty in all the focus groups. In none of the focus groups the list of differences did exceed 2-3 items: “there is mum there”, “the boarding institution is almost a house with a great number of children”, “one can eat whenever one wants”.

The children placed in the boarding institution do not want to compare themselves with other children. In the table below are given more peculiar answers.

Questions	Answers	Notes
Does living in the boarding institution make you different from other children?	“We are not different from them at all”	The younger children do not reason their answers in any way. Such question causes an aggressive reaction on the part of elder children; they are actively looking for arguments. They prefer to compare material aspects: food, clothing, entertainments, trips. But they do not want to speak of the emotional sphere, of their feelings.

	<p>“We are better than them”</p>	<p>And they often compare themselves not with the real peers, but with the children who they might have become, if they had not been placed in the boarding institution, in which “they can continue their studies, in which the personnel are involved in their upbringing”.</p>
	<p>We are brought up well, we are friendly.</p>	<p>In general, for the children in the boarding institution their studies are of great importance. It is not hard to understand it, as the administration appreciates them according to these indicators. Teachers and caregivers always tell them that only a good education and diligence can help them to get out of this situation. The attention that they attach to a good upbringing in their arguments is not peculiar by any means to their peers living in the families. Arguments on other objects and events in their life were practically missing.</p>
<p>Is there anything that you know because you live in the boarding institution and that your peers living in the families do not know?</p>	<p>“We know what discipline means”, “what is a boarding institution”, “internal order”.</p>	<p>The question turned out to be difficult to understand. They do not think that they know anything more than their friends. One can assume that, in general, they socialize with other children a little, and even at school keep together less often. And that is why they find it hard to make a comparison. The life in the boarding institution does not make them more prepared for life. Their distinguishing knowledge concerns the internal routines in the boarding institution.</p>

In general, children in boarding institutions are very disciplined. It is obvious that the staff of caregivers always manage a high discipline and order, sometimes using very strict measures for that purpose: prohibition on games and entertainment, changing the children’s clothes with old, untidy ones, threats to transfer them into the group for children with health deficiencies, into the

boarding institutions reputed to be a “hungry”, “poor”, “cruel” institution or even into a special school.

### **A brief history of the exploitation of child labor, abuse, violation of children’s rights and absent of control**

One of the teenagers (the child institution #1 in Baku) was transferred to a special school by the director’s decision only because he tried to complain to the visitors that the children are made to work (to weave carpets) for 8-10, even more hours a day. It was not once that the director had threatened him with such punishment, and having sent him to the special school also “asked” the administration “not to give him an easy time”. Owing to his diligence and participation in the musical ensemble, the boy was sent to get additional knowledge in the musical school, took part in the musical competition and won a prize-winning place. Having heard about it, the former director decided that the special school was not stern enough for the inmate of her institution and demanded him back to the child institution in order to deal with his “upbringing” personally.

It is not known how this story might end. But the director’s aggressiveness, her rude and anti-pedagogical style became known to the authorities and she was removed from her post.

Unfortunately, this story contains many of the negative features of boarding institutions, the main of them being defenselessness of children’s rights.

**Circles.** To develop children and organize their free time, various circles are created in all boarding institutions. During the interviews carpet-weaving circles attracted the attention. It turned out that such circles exist in many boarding institutions and that all the children, both the boys and the girls, attend these circles. However, the subject of concern is that often the children are “involved” in these circles in all their free time. They replace one another behind the weaving loom, the work starts after breakfast (for those who study in the second shift) and finish in the evening. (In the child institution #1 the children admitted that they sometimes worked till 12 at night and even longer, because it was necessary to submit the work in time). The children do not know where these carpets are sent then. To the question “how long does the work on one carpet last?” they answered “about 3 months”. The children in the child institution #1 in which the routines have now changed for the better complained that they studied badly at school because they did not have any time to do their lessons and because too much had been missed in primary classes.

In another child institution the children said that the teachers at school gave the girls some yarn to weave a scarf and a cap for them. Sometimes they are told that their works will be displayed on exhibition of hand-made articles, but later the works are not returned.

### 1.3. Standards and conditions

Questions	Answers	Notes
<p>What does the life in the boarding institution look like? And what don't you like?</p>	<p>“The life at home”, “the life in the boarding institution”</p>	<p>Both the children’s answers and our observations allow us to make a conclusion that there are no commonly accepted standards. Even such indicators as the number of children in one bedroom, the norm of food products, the number of the rooms for games and studies, meals in a common dining-room or in small groups, the frequency of using the shower, children’s attendance of educational and developmental, sports and health sections, circles or entertaining occasions, involvement in labour, in cleaning building, in working in the canteen or in the kitchen – all this is determined by the management of the institution and depends on material and technical base of the boarding institution.</p>
	<p>“Everything is nice here” “It is bad here”</p>	<p>With great reluctance the children answered the question about what they didn’t like. In general, they are very precautionous when speaking about negative aspects in the boarding institution. Only in 3 focus groups (25%) the children answered unambiguously that the life conditions were very hard, complained of the shortage and lack of quality of food (“on the other hand, the women working in the kitchen carry away products in the plastic bags covering them with clothes”)</p>

“Our home”, “School”, “A favorite home”, “Paradise”, “Sanatorium”, “Child Institution”, “The Center for Entertainment”

- The children do not like the name “child institution” or “boarding institution”. They avoid the use of these names. For example, when at school they say, “I am going home”. They would like the name to reflect two notions “home” and “children”, but find it difficult to offer something definite. In general, in all the focus groups the children found it difficult to point out associations.
- The name “school” reflects the understanding of the institution as a place of temporary stay to achieve some purposes
- In the boarding institutions where the conditions were very poor, the children wouldn’t like to think of a new name, but suggested to keep the existing one. In one of such child institutions the children would like “school #11” (the neighbouring school) to be written at the entrance.
- The names “Paradise”, “Sanatorium”, “The Centre for Entertainment” belong to the children from the child institutions with good living conditions, where the administration selected a good staff of teachers and caregivers and where the children are often taken to social events, meetings, concerts and so on. At the same time it should be noted that the children underline

#### 1.4. Attitudes

Questions	Answers	Notes
What is the outsiders' attitude to the children living in the boarding institution? What do they think about them? What do they say?	“They have a pity on us”, “They think that we are badly brought up”, “They think that our parents died (the families are poor and unsuccessful)”, “The teachers have a pity on us when we behave diligently in class”	First, the children admit that there is not any special attitude towards them. In general, the children do not have much experience of interaction with the people beyond the boarding institutions – the school, teachers and classmates. The children in boarding institutions are rather isolated from society. In interaction with new people they try to conceal the fact about where they live. If after making friends with a classmate, the latter finds out that the child is from the boarding institution, something (at least for a while) changes in their relations. The main feelings towards these children are: pity, watchfulness, desire to dissociate from them. They do not like the feeling of pity on them. They know that they are being pitied on when they are quiet and diligent, but taken as “ordinary” when they are noisy, pugnacious. That is why the children often can manipulate these feelings by changing their behaviour. Very often the teacher fosters the feeling of mercy towards “those from the boarding institution” in the very presence of these children, which belittles them, causes a negative reaction.
Why do they think so?	“Because we live in the boarding institution”	This is how the children with negative attitudes towards the boarding institution answer. They resign themselves to their own positions of “persons excluded from the social mind”
	“They do not know how we live here”	This answer, if given by the children from a “successful” boarding institution, means that “we are just like them and they should not treat us otherwise”. If the children from a boarding institution with poor conditions and weak pedagogical personnel answered like this, it meant: “They cannot judge us severely, because the conditions of our life are tough. Nobody is interested in us, nobody is protecting us. We are like this, because we have been brought up like this.
	“They know little of us”	The children think that if society knew more about boarding institutions, they would change their attitudes towards them. The children do not accept the pity with which the visitors of the child institutions look at them.

Would you like them to change their attitude?	“No, let it be so”. “On condition that for better”	They know how to behave in the existing situation, but do not know how to behave in a new one. The children take changes with caution. They fear that these changes may lead to the worse.
	“Yes”	The children would like to be treated as equals without distrust and pity.

The children suppose that the attitude of society towards them is negative rather than positive. The feelings they encounter in society – no matter whether it is pity, distrust/aggressiveness or indifference - do not meet their needs in establishing “ordinary” relations. Part of the children admit their efforts to prove that they are better than the children living in the families (actively aggressive position), others suggest that the state, society, merciful people will always help them to live. Most of the girls think of a happy marriage as a solution to all their problems (“Cinderellas”).

### ***1.5. Alternative services***

The children found it hard to answer what they would change in the institution where they live. Perhaps the fear from the administration made them say that everything was fine there and all should be left as it was. Even in the institutions with poor living conditions and care, only after the moderator’s prompting the children expressed carefully their desire to improve food, to repair something, to purchase a TV set or toys. All of their suggestions concerned the material and technical base; they said nothing about the changes of relations within the boarding institution, order and care. The answer “more freedom” was restricted to watching TV programs, the freedom to go to bed late. The reason for that is considered to be the dismissal of children from making any decisions or any administration. In some “advanced” boarding institutions the children said that there had been seminars on child rights, but so far this information is theoretical. In none of the focus groups the children touched upon the questions on the change of situation related to the children’s placement in the boarding institution. The answers of the type “I would pull down the fence and build a new one” were just for the sake of answering.

In general, the children in boarding institutions are precautious and restricted in their desires, they dream up badly; do not show any aspiration for changes, they are not active and energetic. They understand that those who are visiting them will soon leave, but they will, like before, remain within the walls of the boarding institution and under their teachers’-caregivers’ supervision.

Only after the moderator’s questions whether they know about alternative services for children like them, the children mentioned “Umid yeri”, where “the children can freely come and go home and the regime is rather free”. Besides, in 4 focus groups (25%) the children pointed out that they had watched a TV program on services supporting families that exist abroad (the discussion of this topic caused a considerable animation in the group).

The older respondents who are concerned over their future would like somebody to solve the problem of their further maintenance in life, but they could not answer how it could be done and what in particular should be done: should the lodging, food, education, employment be provided. *Who can make this change?* – For younger children and for the children living in boarding institutions with poor conditions the only authority is their administration, specifically the director. The older children mention many instances – the local administration of the district, the head of the executive power, the deputies, the Cabinet of Ministers, the Presidential Administration, the President of the country.

It should be noted that the children did not remember their families and relatives’ support even once.

*What do the children wish?* The children wish to become grown up “well-to-do, rich” people. They wish to have a good family and never to depart from their children, but to provide them with good education and upbringing. They wish to make a career, have their own business, support boarding institutions and child institutions. The boys will certainly serve in the army and defend their country.

The younger children who have parents want to become adults soon to “**buy a house and live there with their parents, to take care of them because they always take care of us**”. Perhaps when they grow up they will understand that such care didn’t exist and that their parents shifted off their responsibility onto the state. And then the institution children will become aggressive towards their parents, towards all the adults who, in fact, deceived them. Children in boarding institutions are brought up on the basis of bookish morality, in accordance with the developmental plan of the institution; unlike the children living in the family, they are unable to see the real life with all its variety of mutual relations. This is one of the main reasons why the institution children find it hard to get adapted to the life in society.

## **2. The Children’s Parents**

The children’s parents are the people with low level of education, low social status. Their problems are the low level of incomes, the break-up of the family, the formation of a new family, the loss of the support by other relatives, the child’s disease, impossibility to provide the children’s education in an ordinary school, the loss of the lodging (“we have sold it”, “we have mortgaged it“, “the loss in the games of chance”, “the loss as a result of dividing it or its occupation by other relatives”). In most cases these are frightened, weak, poorly-informed people not considering themselves protected. They will rather ask for their rights than protect them themselves.

### **2.1. The ways leading to the boarding institution**

All the parents think that poverty, crisis situation compelled them to send the child to the boarding institution, because they could not have given him/her education, upbringing, provided the medical service in the family. But they can’t determine why they are in such a situation (This question remained unanswered in all the interviews, as a rule, the respondents simply restart pointing out all their hardships).

Parents remember badly the entire sequence of their steps in sending the child to the boarding institution. Almost all of them had turned to the director of the institution the information about which they got from their relatives, neighbours, and acquaintances. Sometimes the parents turned to the executive power (in the rural districts that do not have a boarding institution in their territory), but they can’t provide the name of the department, only remember only the officials’ names. According to the parents the documents were collected by the management of the institution (this was also proved by the heads of the institutions. - *See the next chapter*). Most of those interviewed found it hard to point out which documents in particular they had to collect. But it was not very complicated process, there were no bureaucratic procrastination. Among those interviewed nobody said that in their conversation with officials they had been dissuaded from placing the child in the boarding institution. However, evidently they do not simply want to speak about it.

### **2.2. The Impact of the boarding institution on children**

The parents found it hard to point out the changes, which they noticed in their children after their placement in the institution. But even if any, in their opinion, they are rather the positive ones. The institution provides opportunity to attend the school, to get education, which might have been given up, if the child went on staying at home. The working parents are pleased with the fact that the child is under the adults’ supervision. They do not observe any changes in the child’s health, development, character, manners, conduct. The respondents said that they had neither remarks nor claims against the boarding institution.

Unfortunately, the parents were unable to explain in what they see the changes, why this or that change took place.

Satisfied	Unsatisfied	Do not pay attention
Education Food Supervision		Health, Physical development Mood Psychic condition Emotional state

The reasons for such statements are as follows:

1. The parents, whose children are in the boarding institution now, do not want to express dissatisfaction with the boarding institution.
2. Having placed the child in the boarding institution, they wouldn't like to speak of negative consequences of this decision for the child, because this, first of all, characterizes the parents themselves negatively.
3. The distance and certain estrangement occurring between the child and the parent keep the child from revelation and reduces the parents' sensitiveness to the child's problems (See 2.3).
4. The parents prefer not to refer to the child's inner world, thinking that the main is to provide material living conditions. (Note. The interviewed parents were recommended by the very institution, which possesses the information on the places of residence).

### **2.3. Standards and conditions**

The parents have very superficial information about the institution where their child is placed. So they cannot say exactly how many children sleep in one bedroom, in which room their child studies, what he/she does in his/her free time. It takes them long to remember as if retreating it from the deep layers of their memories what they know about the children's living conditions. The respondents avoid the question on what they dislike in the boarding institution. Some parents said that they would like to visit their children more often, but failed to do it, because they lived a long way off the boarding institution.

To the question "What can you say about the care attended to the child?" in most cases the parents answered that they were "taken good care of, the children study, they have textbooks". The other aspects of life are not at the focus of parents' attention.

One should dwell on the question related to the education and textbooks. Many parents noted that they couldn't send the child to school because of the lack of the means to purchase all school articles, especially textbooks. However, as it turned out, in the boarding institution not all the children have a complete set of books – they have to share them among themselves. Besides, the parents have to buy notebooks, pens, because they are not enough in the required number. This fact is especially disturbing in regard with the children till the 7<sup>th</sup> form, as the state has an obligation to provide all these schoolchildren with textbooks. At the same time we should point out that both the children and the parents note that the boarding institution provides all the children with education and that there is no need to turn to the individual tutors, because "the teachers of the boarding institution have additional classes with us". Thus, the educational aspect makes the boarding institution attractive for the less-privileged strata of the population who want to give education to their children.

The respondents do not have any ideas about how to improve the situation. They assume that only in case the state creates well-paid workplaces they can take their children back.

The parents who have placed their children in boarding institutions differ greatly in this perspective from the parents whose children go to ordinary schools. The schoolchildren's parents try to know more about school, including at which desk and with whom their child is sitting, about each teacher's opinion of his/her child, the conditions in the classroom, the illumination, heating, etc. They take much effort to change the situation if it seems to them unsatisfactory. The parents, as a rule, are always ready to express their dissatisfaction and suggest the decision that is right from their point of view.

#### **2.4. Attitudes**

“What do other people think of you because you have placed your child in the boarding institution?” The respondents suppose that the other people have not changed their attitude towards them. The close people understand them. At the same time in society there is a negative attitude towards boarding institutions and a blame on the parents who have placed their children in them (“People take it badly”, “We don’t accept it”) and that is why they find it hard to make this decision. Almost all those interviewed noted that this was a compelled decision made when there were no other alternatives.

It should be noted that all the parents could be divided relatively into 4 groups, for whom the placement in the boarding institution:

1. is a compelled decision and they always take it hard (irrespective of the acquaintances’ reaction);
2. they themselves think it right, but do not want others to know about it;
3. is accepted as normal, because they work in the boarding institution or live near it and many of their acquaintances have acted so (the decision made under the group influence);
4. does not cause any reaction of the surrounding, because the family lives in a new place, where very few people know them (the isolation from the community).

Thus, the attitude of the surrounding people is a considerably serious factor influencing the decision-making.

#### **2.5. “Gate-keeping”**

The respondents think that it is the director of the boarding institution who carries the responsibility for the decision to place the child in the boarding institution. They suppose that the other government bodies are also informed of this, but do not know who and to what extent. Some of them think that the local executive power is also involved in decision-making, but the director answers for all. They see such a mechanism quite fair and reliable.

Those interviewed think that on leaving the boarding institution the main problem for the child will be employment and lodging. They do not think that the child’s stay in the boarding institution causes a problem associated with social adaptation.

In general, the parents as a whole have very little information and in the process of sending the child to the institution the responsible officials do not discuss with them the possibility to solve the problem otherwise. All their knowledge about the institutions was obtained from the parents like them. In the child’s interests it is necessary to arrange the system informing at least the given target group.

#### **2.6. Alternative Services**

According to the parents they have not been offered any other solutions to the problem and they do not have an opportunity to choose institutions. They find it hard to mention a particular alternative suggestion that could have made them give up the decision already made. Moreover, they are always hesitating and ready to change their decision in case there is another opportunity.

**The parents’ general portrait.** The respondents – the parents in most cases make an impression of weak, indecisive people. They consider themselves the victims of circumstances and in most cases resign themselves to it. In hesitation they made a decision to send the child into the boarding institution, but having made it, think that they have done it for the good of the child. They do not try to get more information on their child’s living conditions in the boarding institution, do not ponder over who should control the protection of the child’s rights in the institution and they try not to think of these questions. Gradually they get used to the child’s absence from home, which means the more the child stays in the institution, the less he/she has chances to return to the family till finishing school. Most of the respondents are satisfied with the maintenance conditions and do not ponder over how they could be improved. It completely suits

them that the state has taken the commitment to bring up the child, that is why, the state must think of improving the maintenance conditions further as well.

### **3. Boarding Institution Personnel**

**3.1. The ways leading to boarding institutions.** In the list of reasons for which the children find themselves in boarding institutions the boarding institution personnel first mention unsuccessful families (incomplete families, parents-drunkards, drug addicts, the imprisoned ones), the children's disease, and at last, orphanage. The respondents do not conceal the fact that they consider these families unsuccessful, morally and ethically unhealthy (with a little exception to 10% and this is essentially the orphans), and incapable to bring up a normal child.

The average group of personnel does not know how the child is sent to the institution, which documents (and to whom) should be submitted, which commission makes a decision. Only the director knows the entire process. This is not a secret item information, simply because of the complexity of the process the caregivers and other employees are not interested in it. The management of the institutions admitted that quite often parents turn directly to the boarding institution, then the director sends them to different instances. Part of the children come to the boarding institution according to the instruction of the Ministry and although the list of the documents is not complete, the director accepts the child and only after that deals with the collection of the rest of the documents. The decision on which particular boarding institution to send the child is made at the Ministry.

Although most of the respondents do not know the entire process of the child's placement in the boarding institution, they suppose that the existence of the child institutions is necessary and these institutions have protected not very few from streets, violation and neglect. Some employees think that the process of the child's placement in the institution should be simplified. Many respondents admitted that although the increase in the number of children in the boarding institution guarantees the preservation of their workplaces, they experience a negative attitude towards those parents and families that have an opportunity to look after their children, but place them in institutions.

**3.2. The impact of the boarding institution on the child's development.** At the beginning all the respondents say that the boarding institution has a positive impact on the child: they "have a roof above their heads", are fed normally, study, interact, develop during out-of-school time, are under supervision. At the same time the boarding institution leaves a strong trace on children's psychological and emotional mood: they always take hard the first days in the boarding institution, feel terribly bored, lonely, deserted, unfairly offended. Some children say, "I don't love my mother. I don't want her. Teacher N – she is my mother." In this statement there is both resentment and desire to please the adults on whom they depend. The great demand in interaction with parents makes them turn to strangers; sometimes this demand acquires a hypertrophied scale. At the same time, there is a considerable difference in the behaviour of orphans and the children who have parents: the orphans are quieter, consider the personnel of the institution as relatives and do not live in expectation. The children who have parents never get used to their state, do not get attached to the personnel, are more embittered, capricious, always wait for the parents' arrival, but in their heart they nurse offence against them. "They are in the worst situation and it is more difficult to work with them".

The boarding institution personnel noted that the level of children's development depends on the fact at what age they were first placed in the institution. The children transferred from the nursery houses are the least developed in all relations. Hard conditions of the house and the separation from the family have a bad impact on children – many children would like to study well, but the burden of the past, complicated experience disturb them.

How different are the children in boarding institutions from the children living in the family? (according to the respondents' answers)

Those in boarding institutions	Those living in the family
Disciplined Obedient Vulnerable They find it hard to study Less developed Feel jealousy on other children Often act inadequately Maladjusted to life Dependent Weak sense of responsibility Are in the environment of the children with a negative life experience, harmful habits	Happy Live in the family Free regime Have greater circle of interaction Are less concerned Neglected Use foul language Always have support

Less than half of the respondents think that children are better attend general schools outside the child institution, because it does away with the children's social isolation. The supporters of a private school suppose that it will help them to avoid the conflict and stress situations occurring in the process of the children's interaction with schoolchildren and teachers. Besides, it is hard for the caregivers to control the children's behaviour at school, but they bear responsibility for the children's life and health. Unfortunately, the heads of the institutions - trustees abuse their power in regard with children's rights. In each of the child institutions we visited there were cases when the director prohibited the child to attend school as a punishment for unsatisfactory behaviour, and for a long period (not less than a month).

Case 1. In the child institution #1 the director prohibited a girl to attend school for 2 months. When the girl went to school at last the teachers got interested in the reason for her absence and she told them all that had happened. The director became aware of it. The girl was very severely punished – she was beaten with a rolling-pin.

Case 2. In the same child institution the charity people brought juice. The children knew that, as a rule, the brought food would immediately be taken to the shop for sale – the children would get nothing out of it. Two of the boys did not stand it and stealthily took some packs of juice. As a punishment for willfulness children were sent to the special school for problem children.

Case 3. The director of the child institution said that she was taking a great care of the children. Sometimes she had to take strict measures. Thus, she prohibited a teenager girl to attend school for several months (!) only because it turned out that she was making friends with a boy. The director supposes that this is a right pedagogical measure.

The boarding institution personnel are less informed of the work of medical and pedagogical commission. The institution accepts all the children coming with an assignment of the Ministry. However, even those children considered healthy often need a psychological rehabilitation, because they have grown up in an unhealthy environment, some of them have witnessed the violation and cruelty (sometimes the murder) against the close relatives, they themselves have been the subject of violation and exploitation. In every child institution there are such children, but not appropriate specialists.

The children placed in special schools – boarding institutions for children with mental deficiencies are considered “unteachable”. Such arrangement decreases the low motivation of the institution personnel even more.

According to our observations the children in nursery houses receive care on the level of a junior personnel. They are less played with, are almost not spoken to, not taught to speak, since this is

done by parents in the family. The children lag behind in their development just because they are not paid enough attention, they do not play with toys, they are not taught to play with one another.

### **3.3. Standards and conditions**

The question on standards caused difficulty for all those interviewed. Neither directors nor even employees could express clearly what the standards of their work are, which document regulates them. They say there is a document setting the norms of food, hard- and software, etc. existing even since the soviet period, but they failed to say how to use them taking into account the level of inflation for this period.

By “standards” one means: the number of bedrooms, furniture, software (mattresses, pillows, eiderdowns); the sanitation situation (tiles, the existence of water); the doors,(?), refrigerators. Though the heads of institutions answered the question on the norms of expenditure, it was impossible to get a clear idea about it.

#### Two examples illustrating the arbitrariness of expenditure

In the first case the director of an institution in Baku (the district of Surakhani) said that the state allocates 6500 manats for the food of a child per day, “but I don’t use that money... almost all the food products are sent to me by the charity organizations or executive power out of what is confiscated from the private sector(?)” In fact, we were in the institution a little before dinner and understood that something substantial and delicious was being prepared in the kitchen. The children also impressed us as being satisfied.

In the second case (the school-boarding institution of a mixed type in the city of Shaki) the director complained that the expenses on food are allocated on the basis of the estimation of the children’s number, but without including the holidays which comprise almost 4 months. (According to the Regulations the children must go to their families during the holidays). However, not all the children are taken and “we are obliged to save during the year to provide them with food in summer months”. The children in that boarding institution complained of the shortage and lack of quality of food a lot. Their appearance expressively proved the said – the children certainly lagged behind their peers according to physical indicators.

Every management tries to solve his/her problems individually, turning to all possible instances – this seems to them more effective at present than solving the problem as a whole – how complicated and misleading is the trusteeship system of children. In an answer to the question “who can change the existing situation” the opinions were divided equally: 1) only the state; 2) both the private sector and charity organizations should get involved; 3) international organizations.

All the suggestions of the respondents concerned only the material and technical base. The criteria that could evaluate the situation in providing the children’s rights were not proposed.

Above all, the attitudes of a considerable majority of the institution personnel (especially in the regions) towards the question of protecting the rights of children in the boarding institution are completely outdated and limited. They say that the children are now “very independent”, because they are not forbidden to wear this or that hairstyle or modern clothes. But we were witnesses of the fact that the director took away from the children the visiting cards with the telephone numbers of the UNICEF representative, explaining us that the children could not call anyone without permission “anyway, the child is going to call from the telephone in my office, then I’ll give it. Otherwise, they will lose this card after all”.

If the children’s rights are violated by the employee of the institution, the child can complain to the director. There is no further instance and the respondents do not see any necessity in it – “we do look after them as our own children, they feel better here than in their family where they are beaten”. The question “Is there any control how the administration follow these rights” caused bewilderment and remained unanswered.

### **3.4. Gate-keeping**

Only those respondents who had participated in the training sessions in the frames of the projects of the international organizations were ready to discuss the process of placement of the child in the boarding institution. The rest actually left these questions unanswered, because “we work, it is those on top who should think. We only know that there should be state institutions that will take the commitment to care for children”. This part of the respondents tried to say what in their opinion we wanted to hear: to accelerate the admission of the child, to simplify it, to reduce bureaucratic obstacles.

Those who are familiar with the new attitudes think that the children who have parents should not be in the boarding institution, single mothers should be helped. No matter what kind of person she is, she is a mother”.

The respondents think that special training of social workers is necessary. Also, the state should review all this system. Some leaders said that they had already developed and submitted their suggestions to their superiors, however there is not any reaction yet.

### **3.5. Attitudes**

(In this section we provide only the statements without any comments).

**How are the boarding institution children treated in society?** “We try to do our best so that the children do not hear, understand what others say about them. When we leave the boundaries of the boarding institution, we dress them in such a way that nobody guesses who they are”. “They suffer much when we are referred to as “there go the children from the child institution”. “We are a closed institution, how can the children hear what others think of them?”, “We see to it that the children at school do not know either that our children are from the boarding institution”. “Others happen to say something about them. This has a very bad impact – then the child does not leave his/her room for several days”.

**Why does such an attitude exist?** “It has been so since long”. “You know, after the children leave the place much happens to them, not always good”. “I wouldn’t like to speak about it, but the boys often commit a crime and the girls ...”. “Here everything is normal, but what will happen to them later, in whose hands they will find themselves?”, “We had negative facts as well”.

**How can this attitude be changed?** “These attitudes cannot be changed – in society these children are called “abandoned”. “In society they should stop discussing negative facts”, “The teachers at schools should forbid the other children to speak about it. The children from the boarding institution must not be traumatized. They must not know about it”.

**What happens to the leavers of boarding institutions?** “Certainly, their life becomes hard”, “The disabled children find themselves in the home for the old”, “We have very little information about what happens to the children after they leave the institution”.

(The respondents avoided this question, accurate data were not mentioned. One can assume that such statistics is not collected and analyzed in boarding institutions at all. However, they were not found in the bodies of executive power either).

### **3.6. Alternative services**

All the respondents – heads of institutions have heard and know about the alternative services and new approaches towards the care for children/ the families in crisis, however among the employees of boarding institutions only half of the interviewed know about the alternative services. Those who have heard about the alternatives failed to identify which of them they considered to be more successful.

Very few suppose that implementation of alternative services will yield positive results. The mechanism supporting the family does not seem to them clear, simple and reliable.

The heads of institutions think that the donor and charity organizations, the private sector, individual philanthropists, owing to whom the financial resources of the institutions increase,

will not help separate families, but the state budget alone is not sufficient to support all the needy in this family.

The respondents suppose that at all stages there may be mistakes and abuses in the: distribution of and control over the spent resources; the selection of the foster families; targeted expenditure of the resources on the given child; at last, the unjustified rise of the number of families refusing their childre.

“Yes, we know that possible variants are being discussed. But if it is allowed to give the child to another family for a while, I am afraid that many parents will start to abandon their children – let the state watch, let it give the child to somebody”.

At the same time, the respondents give priority to the mechanism supporting the biological family.

The heads of boarding institutions want to participate in the coordination of the work with families. However, yet they do not imagine exactly in which ways.

***It be should underlined that the employees of institutions, unlike the parents, understand quite clearly that boarding institutions do not solve the children’s problems, they simply postpone the solution further, thus happens the intensification of problems.***

### **Outcomes**

1. The existing classification of boarding institutions (it is used in the preparation of all the official statistical estimations and reports, and was used in the preparation of the investigation) does not adequately correspond to the factual contingent of children in the institution. Thus, in the child institutions for orphans, along with orphans, there are children who have parents. In practice there are “boarding schools of a mixed type” that are not mentioned in official reports.
2. Concentration of child institutions in Baku (and some other cities) leads to a weakened link between the child and the family living in the district. In the course of study we noticed the cases when the child from Sumgait was sent to the boarding school in Shaki and the child from Baku to Ganja, etc.
3. The state care for orphans is expressed in targeting certain resources to consolidate the material and technical base of institutions. At the same time, now programs of psychological and pedagogical aid and support of children are of importance.
4. Many children placed in child institutions and boarding schools have passed through complicated life situations, experienced a severe treatment by the adults, alcoholism and drug abuse, witnessed a cruel fighting or even murder of the relatives. However, there are no professional specialists capable of undertaking psychological rehabilitation work. Thus, the children simply get placed in the environment of other children, which is reflected in the general psycho-emotional condition of the group.
5. As a whole, for a child with an experience of living in the family, his/her separation from the family by placing him/her in any kind of institution (an asylum, a child institution, etc.) is accompanied by many factors psychologically traumatizing. Such traumatizing situations result in the loss of the child’s sense of safety. However, the closed nature of boarding type institutions, the special type of interaction with peers and adults, the social and emotional instability of the state of the child deprived of parental care, the unrealized needs in love and acknowledgement hinder the formation of a sense of security in the child institution.
6. The children think that normally only orphans should be placed in boarding institutions. The children from the younger age group are more inclined to justify their parents who have placed their children in boarding institutions. The older children do not justify their parents’ conduct.

7. As it is pointed out by a considerable majority of caregivers (and this is also proved when interviewing the children) in boarding institutions orphans have better emotional mood than the children who have parents or close relatives.
8. The children who have parents, but have been placed in the child institution call themselves "*otkazniki*" - "the rejected" (using the Russian word). This low self-estimation leaves a trace on their conduct – they are either extremely passive or actively aggressive, do not trust anyone.
9. Parents make a decision to place the children in boarding institutions not independently. Almost in all cases this decision is prompted either by close relatives, neighbours who have already placed their children in the boarding institution, or sometimes by the employees of boarding institutions. They always think over it for a while. (One can assume that the presence of a professional social worker, his/her advice could help to make a decision in the best interests of the child).
10. Parents think (believe more) that boarding institutions must be under the central management. According to them, decentralization, the transfer to the local management or creation of alternative structures guided by the community will not work effectively, won't be transparent enough.
11. A considerable majority of the interviewed (the children, parents, caregivers, officials) think that boarding institutions are perhaps not the best, but presently the most reliable organization for children left without parental care. Only a small part of children (in Baku and Ganja) recalled that there could be other alternatives, and mentioned "Umid yeri" or "those family organizations abroad" which they saw on TV programs.
12. The former inhabitants of boarding institutions and street children ("Umid yeri") do not consider that boarding institutions are a successful form of supporting children in a difficult situation.
13. Almost all the interviewed children placed in the boarding institution have an inadequate assessment of their own personalities – either excessive or understated. And the excessive assessment was formed under the impact of the adults (the boarding institution staff or parents who constantly tell them that "thanks to the upbringing and attention they get in the boarding institution they have become better than they were at home". The excessive self-assessment is developed also as a means of self-defense from negative statements or attitudes of society. The understated assessment is the result of reflection of the reasons for the placement in the boarding institution. The children call themselves "*otkazniki*" ("the refused") – "my parents didn't need me".
14. The children are eager to go to general secondary schools together with other children. As a whole they assess the attitude at school as normal. They speak of a special attitude towards them by teachers and children. Almost all of them have heard the teacher telling other students about their situation ("do not offend them, they are from the orphanage").
15. Among the caregivers and administration of child institutions there are still some who consider that it would be right to teach children at a closed school located in the territory of the child institution. They think that this will considerably reduce the number of psychological traumas which the child gets attending ordinary schools. Often they petition for it before the representatives of local power and sometimes get a positive solution.
16. Children do not like when people feel sorry for them. They take it especially negatively as an insult when they are called "the inhabitants of orphanage", "from the orphans' asylum". Some children said that they had had fights at school because of it (between the inhabitants of boarding institutions and the "ordinary" children).
17. The children's attitude towards the boarding institution differs greatly. In the boarding institutions where living conditions and upbringing are normal, the children speak of the institution with gratitude. However, in some boarding institutions the children said that there was not a single person within the institution whom they trusted.

18. The management of boarding institutions enjoys wide powers in issues of children's upbringing. But sometimes their actions are anti-pedagogical. Thus, the directors use as a punishment the prohibition to go to school for a long period of time (a month or even several months). The children mentioned the facts when as a punishment they had been transferred temporarily or constantly to special schools for problem children.
19. The interviews exposed some cases of exploitation of child labour. At boarding school #2 under the previous management the children were used as carpet weavers from 8-9 o'clock in the morning till the very late hours in the evening (till 23:00-24:00 at night, and in case of need even more). Such kind of child labour is used in other boarding institutions as well.
20. The children, their parents and the boarding institution staff do not have a clear idea about the standards, are unable to form their attitude towards them. Only after the moderator's explanations they could mention with difficulty some repair work that can change their daily life. Only 6% of the interviewed employees spoke of the necessity of fundamental changes in standards and the necessity of introducing different indicators for the assessment of the work of institutions in connection with children's welfare.
21. The interview with the children's parents showed the high uniformity of their judgments. In general, the moderators point out their passiveness, lack of will, broken-heartedness. They find it hard to understand the asked questions, and answer reluctantly. One can say that they are as if about to hear reproaches and therefore try to justify themselves. Almost all the parents mentioned that they had reluctantly made a decision on the placement of the child in the boarding institution, that the negative assessment of the surrounding had retrained them and that the names "the child institution", "the boarding institution" are humiliating to them to a certain extent. However, they do not have an idea or have not heard of any alternative forms of supporting families and children in a difficult situation.
22. The greater part of parents fails to realize which concrete reasons have compelled them to place the child in the boarding institution. Moreover, they do not have an idea of what should be changed in their life so that they could take the child back from the boarding institution. Gradually they "get used" to their own conditions and make fewer efforts to change them.
23. If compared with the parents, the children care more for what will happen after leaving the boarding institution. According to their attitude towards their future they are distinctly divided into extreme optimists and extreme pessimists. Some believe that the state (the local power, the director, a kind man, a sponsor and others) will certainly solve their problems related to lodging, education, and employment. Also they choose professions requiring serious studies (a prosecutor, a lawyer, a banker, a top-model). Others, on the contrary, do not see any perspectives, and consider themselves unprotected (on the termination of the stay in the institution "boys go to the army, and girls to the colony in Baku").
24. The boarding institution staff treat discrepantly the parents and families of the children placed in the institution. On the one hand, they openly say that if it had not been for these children, they would have been deprived of the work ("they are our tree of bread", said one of the institute employees, the Deputy Director). On the other hand, they treat very negatively the parents who, in their opinion, could have maintained their own child ("I hate her/him").
25. Parents suffer some feeling of guilt. They feel indebted towards boarding institutions, their employees. Perhaps for that reason they prefer not to speak of the shortcomings in the upbringing and maintenance, even if they see them. In this sense, the interrelations between "parents and boarding institutions" and those between "parents and general secondary school" differ from each other greatly. The schoolchildren's parents are always ready to determine their demands from the school and want a constant improvement of the service quality. But unlike schools, boarding institutions lack such

- kind of constantly operating gear of public control that parents might have been. Thus, boarding institutions are only accountable to their higher authorities.
26. In different cases decision on the placement of children in boarding institutions is taken variably by: bodies of executive power (commissions on juvenile issues), health agencies (for breast-fed babies and invalids), the respective structures within the agencies of education, health, social security of population. Police agencies are involved in this process in case the child is found in the street, abandoned or homeless. However, there is no single instruction suggesting exactly which children should be sent to boarding institutions.
  27. Commissions on juvenile issues consider only those cases that are submitted by the police agencies or on the basis of the application by the child's parents, but they do not hold their monitoring over the state of the children's rights.
  28. In the boarding institution the child is deprived of the possibility to protect his/her rights, if they are violated by the administration. In all the cases when the children tried to get the support from aside, their efforts ended in the punishment of the child. The children in the institution do not have the right to talk by the telephone without the administration's consent and it is possible only in their presence.
  29. Boarding institutions are actually closed institutions; the assessment of their activities is carried out only by the Ministry they are subordinated to.

## **Recommendations**

1. It is necessary to develop clear and distinct standards of activities, oriented at providing children's rights.
2. It is necessary to develop a mechanism of periodical assessment/ monitoring of the activities of all the boarding institutions.
3. It is necessary to adjust the work on the psychological rehabilitation of children placed in boarding institutions, especially of the victims or witnesses of violence and abuse.
4. It is necessary to work out and implement a program of social rehabilitation, adaptation and integration of future leavers of boarding institutions.
5. For the successful realization of de-institutionalization it is necessary to increase information awareness of: a) the employees of boarding institutions (to introduce an appropriate course for the staff who are being retrained or independent training sessions); b) the target groups of parents.
6. The increase of information awareness of society can have a restraining impact on giving children to state care.
7. It is necessary to strengthen the role of the commissions on juvenile issues and other agencies in questions of studying the state of protection of the rights of all categories of children in crisis, including the children given to care (of the state or of physical persons).
8. It is necessary to develop new approaches and implement the programs on the protection of the rights of children placed in boarding institutions (especially from exploitation, violence, savage treatment and neglect).