

**INSTITUTIONAL CARE OF CHILDREN WITHOUT PARENTAL CARE IN THE
P.I. „HOME FOR CHILDREN WITHOUT PARENTAL CARE“ IN TUZLA****INSTITUCIONALNO ZBRINJAVANJE DJECE BEZ RODITELJSKOG STARANJA
U J.U. „DOM ZA DJECU BEZ RODITELJSKOG STARANJA“ TUZLA****Adela Jahić^{1*}, Edin Muftić¹, Sadik Ahmetović², Mirela Memić²**¹Faculty of Education and Rehabilitation University of Tuzla, Tuzla, Bosnia and Herzegovina²P.I. "Home for Children without Parental Care" Tuzla, Bosnia and Herzegovina**Professional Article**

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ABSTRACT

Caring for children whose development is endangered in their own family, and thus the accommodation/housing of a child in an institution as one of the possible forms of help and care, is a special task of the community. In most countries of the world (including our state too), institutional accommodation/housing has always been the predominant form of care and assistance, and even today. Living in institutional conditions permanently impairs the physical, intellectual, emotional and social development of a child. Accommodation/housing of children in the "Home for children without parental care" begins when, due to age, characteristics and developmental needs, it is not possible to place them in another family. This method of caring for children is applied in accordance with the provisions of the Law on Social Protection and Ensuring Social Security of Citizens. "Home for Children without Parental Care" in Tuzla as a form of institutional protection provides children with proper development and education. The educators in the Home take care of the physical and mental development of the children. Accommodation, food, clothing, social, legal and medical assistance is provided. The life of children in the Home is organized in accordance with the obligations that children have. The process of deinstitutionalization in recent years has largely transformed the Tuzla "Home for Children without Parental Care". Within the Home, the following areas were formed: Reception Centre and Shelter House, Maternity Home, Day-care Centre for Children and Mobile Team.

Key words: institutional accommodation/housing, children without parental care, deinstitutionalization.

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SAŽETAK

Briga o djeci čiji je razvoj ugrožen u vlastitoj porodici, pa tako i smještaj djeteta u ustanovu kao jednog od mogućih oblika pomoći i brige, poseban je zadatak zajednice. U većini je zemalja svijeta (pa tako i kod nas) institucionalni smještaj bio i još uvijek jeste prevladavajući oblik brige i pomoći. Život u institucionalnim uslovima trajno oštećuje fizički, intelektualni, emocionalni i socijalni razvoj djeteta. Smještanju djece u Dom za djecu bez roditeljskog staranja počinje onda kada ih zbog uzrasta, karakteristika i razvojnih potreba, nije moguće smjestiti u drugu porodicu. Ovakav način zbrinjavanja djece primjenjuje se u skladu sa odredbama Zakona o socijalnoj zaštiti i osiguravanju socijalne sigurnosti građana. Dom za djecu bez roditeljskog staranja Tuzla kao oblik institucionalne zaštite osigurava djeci pravilan razvoj i vaspitanje. Vaspitači u Domu brinu o fizičkom i psihičkom razvoju djece. Dječiji domovi omogućuju smještaj, ishranu, odijevanje, socijalnu, pravnu i medicinsku pomoć. Život djece u domu organizuje se u skladu sa obavezama koje djeca imaju. Proces deinstitutionalizacije posljednjih godina u velikoj mjeri je transformisao Dom za djecu bez roditeljskog staranja Tuzla. U skopu Doma formirani su: Prihvatni centar sa Prihvatilištem, Materinski dom, Dnevni centar za djecu i Mobilni tim.

Ključne riječi: institucionalni smještaj, djeca bez roditeljskog staranja, deinstitutionalizacija.

INTRODUCTION

Caring for children whose development is endangered in their own family, and thus the accommodation/housing of a child in an institution as one of the possible forms of help and care, is a special task of the community. For many adults, including professionals, children who benefit from social care are just "objects" and we think we know best what they need, based on beliefs primarily on experiential knowledge, and in accordance with the practical possibilities of help and support.

Based on the Convention on the Rights of the Child (UN, 1989), one of the fundamental rights is the active participation of the child in all matters affecting its life, freedom to express its views and the right to have its views taken seriously according to age and maturity of the child. Furthermore, following the idea of postmodern social work, which emphasizes the importance of the relationship and process between the social worker, educator and beneficiary and all participants in the process of working with children deprived of parental care, it must be emphasized that helping a child whose development is endangered in the family and who is in care and assistance outside its own family, should be achieved through joint relations, within which the social worker, educator and beneficiary, but also the family of the beneficiary, find new solutions in the existing beneficiaries' historical, social and cultural context (Mwoma, Pillay, 2016).

Institutional care for children without parental care in Bosnia and Herzegovina takes place in 13 institutions; 12 of them are located in the Federation of Bosnia and Herzegovina and there is one institution in Republic of Srpska.

Also, there are nine other institutions that primarily care for other categories of children, among which there is a small number of children without parental care. According to available data, it is estimated that one third of the total number of children without parental care live in institutions.

It is a worrying fact that more than three quarters of children without parental care (76%) have both or one parent alive, and those children still live in the public care system (SOS Children's Villages Bosnia and Herzegovina, 2013). Also, one of the burning problems is the lack of reliable data on the number of children up to 3 years of age. It is estimated that this is about 4.7% of the total number of children without parental care, of which 87% are placed in UNICEF institutions (2017). This form of care is the most unfavourable option for children of such a young age, because it is known that this is the most important period for the development of children in which it is necessary to provide them with the best possible family form of care.

Although the first serious objections to the institutional accommodation/housing of children without adequate parental care were made more than fifty years ago (Bolwby, 1953, 1969, 1982, 1988), institutional accommodation/housing has only recently been subjected to significant criticism from the professionals and the public. In most countries of the world (including Bosnia and Herzegovina too), institutional accommodation/housing has always been the predominant form of care and assistance. The findings of modern research warn that it is necessary to completely avoid the accommodation/housing of very young children (aged from birth to the third year of life) in institutions due to the negative consequences of staying in the institution, such as psychological, social and neurological problems. It is believed that permanent consequences occur after only two months of a very young child's stay in a typical children-home environment. The institutional environment does not provide the so-called individualized care for the child, which jeopardizes the development of safe and stable feeling of affection in children - beneficiaries of institutional care. The creation of a lasting emotional relationship or affection relationship between a guardian / parent and a child is already perceived as an equally important segment of child care such as providing basic physical needs and security needs (Ajduković, Kregar-Orečković and Laklija, 2007).

The definition of children without parental care is given in the provisions of the entity Laws on Social Protection: A child without parental care is a child without both parents; whose parents are unknown; abandoned by parents; whose parents have been deprived or prevented from parental rights. Family laws do not have a specific definition of children without parental care. In practice, the term children without parental care means two groups of children: children deprived of moral family life and children deprived of family care. The first group includes children whose development is hindered by family circumstances such as disturbed family relations, divorced parents, parental absence due to illness or serving a sentence, unsettled material and housing conditions... The second group includes children without parents in a situation where both parents have died, when the parents are unknown, when the parent is deprived of legal capacity or deprived of parental rights (Perić and Petrović, 1979).

Accommodation/housing of children in the "Home for children without parental care" begins when, due to their age, characteristics and developmental needs, it is not possible to situate them in another family. In any case, in international conventions and domestic legislation, children-home accommodation is treated as a last resort in the care of children without parental care. Nevertheless, due to the small number of children who can be adopted or the lack of foster families and the long tradition of children-care accommodation/housing, this form of institutional child protection is dominant, often applied, and necessary for some children (Grujić, 2005).

The children's home as a form of institutional protection ensures the proper development and upbringing of children. The educators in the home take care of the physical and mental development of the children. Accommodation, food, clothing, social, legal and medical assistance is provided. The life of children in the Home is organized in accordance with the obligations that children have. Some of the daily activities are: learning, sections, socially useful work, but there is also time for fun (Tomić, Osmić, Karić, 2006).

The policy of the protection of children without parental care

At the level of the Federation of Bosnia and Herzegovina, the main bearers of responsibility for the protection of children's rights and protection issues are: the Federal Ministry of Labour and Social Policy and the cantonal government. According to the Constitution of the Federation of Bosnia and Herzegovina, the Federal Government and the cantons have joint responsibility for social protection and education policy issues, as well as for establishing a legal framework. The Federal Ministry is responsible for the adoption of policies, strategies and standards, monitoring and supervision of various forms of care for children without parental care, as well as professional activities of institutions established by the Federation of Bosnia and Herzegovina. The cantonal authorities, via cantonal laws, regulate in more detail the activities in the field of social protection, supervise the work of institutions and finance child protection and education. The main obstacles in fulfilling these responsibilities are: the lack of a unified system of public revenue collection that would ensure a minimum of social security, and the lack of a centralized database and a strategic and consistent approach to policy making. Although funding is the responsibility of the cantons, financial resources are insufficient and constant tensions between the entity and cantonal levels of government at least lead to unequal position and discrimination of children living in different cantons (Selimović, Softović, 2010).

Currently, several legal documents at the state or entity level are relevant for the protection of children without parental care: the UN Convention on the Rights of the Child; Code of ethics for research with and on children in Bosnia and Herzegovina, 2013; The situation of children in Bosnia and Herzegovina, analysis of the situation of children without parental care and / or children at risk of loss of parental care based on children's rights, 2014 (document prepared periodically by SOS Children's Villages Bosnia and Herzegovina organization with the aim of monitoring the status of children and improving their status and rights as proposed by the Convention on the Rights of the Child); Strategy for deinstitutionalization and transformation of social protection institutions in Federation of Bosnia and Herzegovina (2014-2020), where the main goal is to provide an environment closest to the conventional family environment of

children through a social protection system based on community services; Strategy for improving social protection of children without parental care (Republic of Srpska) (2015-2020), which aims to develop and improve systemic models of action in the field of social protection of children, which have the capacity to optimally respond to the needs of children without parental care and the needs of children at risk from separation from parents in accordance with the best interests of the child (Sofović, 2019).

Bosnia and Herzegovina has ratified the UN Convention on the Rights of the Child, which is included in Annex I of the Constitution of Bosnia and Herzegovina (Additional human rights agreements to be applied in Bosnia and Herzegovina). However, the Constitution of Bosnia and Herzegovina does not mention the manner of application of the Convention on the Rights of the Child (directly or through the adoption of domestic laws), nor about the priority in case of non-compliance with domestic legislation. Of particular importance is the fact that there are no bylaws with specific criteria for exercising the rights of the child, as well as responsibility for their violation, and that the provisions of the Convention on the Rights of the Child are not fully implemented in all branches of law. The Convention on the Rights of the Child is a legal document that guarantees a better life for children, but domestic legislation is not fully in line with its provisions. Also, there are no mechanisms for dealing with cases where the provisions of the Convention are violated, mechanisms for monitoring the implementation, as well as sanctioning violators. The key precondition for improving the position of children is to provide an institutional framework for the implementation of adopted policies in the field of social protection as well as the adoption of new ones. It is also important to involve all segments of society, all available resources of the governmental and non-governmental sector, families and individuals, in achieving meaningful action to improve living conditions in the interest of children's development and respect for their rights. This implies an intersectoral and multidisciplinary approach and the design of social actions and measures that will be aimed at improving the position of the child in Bosnia and Herzegovina.

ORGANIZATION MANNER OF THE PUBLIC INSTITUTION “HOME FOR CHILDREN WITHOUT PARENTAL CARE” IN TUZLA

In decades of work (about 50 years), the Home has taken care of nearly 3,000 children from all over Bosnia and Herzegovina, who have been left without parental care due to specific circumstances. Prior to its establishment, the "Home for Children without Parental Care" was an Inpatient Hospital for children who lost their parents during the war and who needed social care and protection. In 1967, the Children's Home "Vojo Perić" was founded, which is also the first organized, independent and systematic care institution for children without parental care in the Tuzla region. The concept of the organization of the Home back then was based on the need to provide social care for children and youth without parental care, aged 5 to 18, whose development was hindered in the family environment, until the conditions for their return to the family were created or other appropriate protection was provided.

In the post-war period, the institution changed its name to the Public Institution "Dom za djecu bez roditeljskog staranja" (Eng. "Home for Children without Parental Care") in Tuzla. Pursuant to the new regulations that deal with this issue, the institution for the reception and

admission of children from birth to 18 years of age was registered. There are currently about 60 children in the Home. The concept of the work of the Home was based, in the period between 1980 and 2011, on the principle of home-family. Children are accommodated in eight spatially separated groups - families, heterogeneous by gender of each child. The Home provides the residents with accommodation, schooling, provides assistance for mastering educational programs, organizes various forms of work and life of children and youth, and takes care of their upbringing and health (Dizdarević, 1999). The Home underwent a transformation in 2011, abandoning the principle of home-family organization by turning to developing alternative care services for children without parental care.

The organizational structure of the Home aims for a quality children's growing up. The establishment of a functional internal organizational structure of the House took decades. The search for the best model was fraught with numerous problems, primarily the lack of adequate staff and lack of financial resources. In these searches, at the beginning of the 2000s, the concept of organization changed again, in order to get the outlines of a functional organization, aimed at the development, upbringing and education of children. In recent years, the internal structure of the Home has functioned as follows: a baby ward and a school ward.

Baby ward intended for accommodation of children from birth to 6 years of age, divided into three groups: group of babies from birth to 18 months of age, day-care group from 18 to 36 months of age, preschool group from 3 to 6 years of age. This department is separated into a special annex of the building intended for the needs of children from birth to start of their schooling. It has a capacity of 20 to 30 children.

The school ward includes children attending primary and high school. After finishing high school, reaching adulthood, or after fulfilling the conditions for independent living, children have the opportunity to stay in a youth home within the NGO "Tuzlanska Amika", where they are further involved in life outside the home. This department is organized according to the principle of educational groups classified by gender and age. Recently, efforts have been made to engage a male-female pair of educators in each educational group as an imitation of the family environment. This ward is organized into two male and two female educational groups. The accommodation capacity of the "Home for Children without Parental Care" is about 70 rooms for children from 6 to 18 years of age.

In the process of transformation in the "Home for Children without Parental Care", new services have been provided in recent years, i.e. new departments/wards of the Home have been formed: Reception Station and Shelter House, Maternity Home, and Day-care Centre for Children, and Mobile Team.

Reception Station and Shelter House

The reception station was opened in 2014. The reception station is intended for emergency accommodation of children aged 5 to 18 years of age. This department is open 24 hours a day, every day of the week. Children can stay in the reception station for 24 hours until an adequate solution is found for them: accommodation in a shelter, home, foster family, or return to the biological family. The capacity of the receiving station is five places in two physically separate rooms.

The shelter house is primarily intended for children who are caught wandering, begging for labour and economic exploitation. During the operation of the service, there was a need for a wider range of users, so the Shelter changed the structure and all children who need social care are admitted to the Shelter. The placement of a child in the Shelter is limited to ninety days, in order to determine the deadline by which all necessary actions must be taken to find the best solution for the child. Children from the Shelter usually return to their biological family if the necessary conditions are created during that time. In the Shelter, they receive a safe environment, clothes and shoes, food, necessary hygienic and professional help, and paperwork regulation such as birth registrations, exercising the right to health and social protection, and inclusion in the education system.

Maternity Home

The maternity home was opened at the beginning of 2015 and is a modern form of taking care of pregnant women and mothers with babies in a state of need. The purpose of the service is to provide temporary accommodation to pregnant women and mothers with children in order to prevent the separation of children from their mothers and to provide various forms of support. In this way, targeted efforts are made to preserve family integrity, the adequate functioning of the family and the upbringing of children in a stimulating environment. Through a carefully planned plan of work with mother and child, the priority is to create an affective bond between mother and child, to continuously develop the mother's parental competencies, introduce the mother to her social rights, refer to local community resources, and enable her to continue her education or re-training. Providing support in independence, developing personal competencies and helping to find employment are some other aspects offered by the Maternity Home.

Day-care Centre for Children

The Day-care Centre was opened in 2016. It enables children from families in which there is a risk of separation to stay in the family, and enables them to meet their needs in the Day-care Centre (social, educational, health). The families of these children are thus enabled to take adequate care of their children with the support of professionals. The Day-care Centre is a positive, safe, constructive and controlled environment that encourages the optimal development of children's individual potentials.

Mobile Team

It has existed as a separate service since the beginning of 2016 and is closely related to the work of the Day-care Centre, but also the Centre for Education and Counselling. The activity of the Mobile Team is to provide support to children and young people leaving the public care system. The Team ensures cooperation with foster families, adoptive parents and the biological family in the event of the child's return to the biological family.

Deinstitutionalization

The process of deinstitutionalization and transformation of social protection institutions began in Bosnia and Herzegovina with modest but significant steps. In the Republic of Srpska, the Regulation on Foster Care made it to the legislative framework in April 2014, which showed that this entity of Bosnia and Herzegovina has a clear commitment to family accommodation/housing of children without parental care. In the Federation of Bosnia and Herzegovina, the Public Policy on Foster Care was adopted in the second half of 2014, and then in 2017, the Law on Foster Care was adopted too.

Also, in this entity of Bosnia and Herzegovina, the Strategy for deinstitutionalization and transformation of social protection institutions in the Federation of Bosnia and Herzegovina (2014-2020) was adopted. In addition to enacting legislation in both entities of the state, recruiting and training foster families and raising public and professional awareness of the importance of the family for the child's upbringing are important steps to support deinstitutionalization. In the city of Tuzla, the transformation of the Public Institution "Home for Children without Parental Care" is nearing completion, which included the opening of a number of new services for children and families - maternity home, shelter house for children, day-care centre for children at risk of separation from their family, mobile team, centre for education and counselling, and a small family home. These services should meet the needs of families and children to reduce the risk of their separation. According to the Glossary of Social Security (2010), deinstitutionalization is defined as a policy of providing protection and treatment to beneficiaries, that is, to medically and socially dependent persons in the community instead of in institutions. It includes avoiding the accommodation/housing of dependent persons in institutions, returning people to the community who can function and use community-based programs, and developing such a social environment that will contribute to the returning of such persons to the community as soon as possible.

An important feature of deinstitutionalization, and which is still the weakest link in the system in Bosnia and Herzegovina, is the prevention of child abandonment, i.e. the prevention of separation of children from biological families. Existing laws rarely or never require the implementation of specific prevention measures, but these measures are broadly and generally defined in several articles of the law, emphasizing this segment of prevention as very important. The most common legally defined forms of preventive measures at all levels of government in Bosnia and Herzegovina are tertiary, i.e. financial support to families and children at risk of separation, while primary and secondary forms of prevention are insufficiently present (Pavlović, Sofović, 2014, Sofović 2019). The document on the protection of children without parental care and families at risk of separation in the Federation of Bosnia and Herzegovina (2006-2016) (The Ministry of Labour and Social Policy of the Federation of Bosnia and Herzegovina (2010)) emphasizes the focus of the Federation of Bosnia and Herzegovina on deinstitutionalization and transformation of current institutions for the care of children without parental care, which also includes the parallel development and provision of a variety of services, which will provide adequate support to families and children during and after the transformation process. The main goals of the Strategy for Deinstitutionalization and Transformation of Social Care/Welfare Institutions in the Federation of Bosnia and Herzegovina (2014-2020) are the reduction of the entry into social institutions, the increase of the exiting from social institutions into new forms of care, especially stimulating family reintegration (guaranteeing one or more family support services in the local community).

CONCLUSION

Bosnia and Herzegovina is a country that has traditionally relied on institutions and the state has long considered the social institution to be the best solution for a child who has no parents or for some reason can't live with its parents. Decades of research prove that growing up in social care institutions has detrimental psychological, emotional, and physical consequences for children, including disorders in bonding, cognitive and developmental delays, and lack of social and life skills, all resulting in multiple deficiencies in adulthood. It is important to emphasize the extremely important role of social work centres as direct executors and providers of services to families and children. Data from the field show that there is a continuous annual increase in the number of cases, but the number of social and other professional workers is not increasing, which directly affects the quality and timeliness of service to families and children. Social care institution accommodation/housing is considered a form of protection and care in an emergency, but the situation in our country shows that most children stay in this social institution until the age of eighteen and that this form of care and protection is dominant, although it should only be temporary.

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