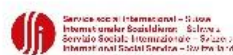


# International guidelines on age assessment procedures

## An aide-mémoire for legal representatives, legal advisers and persons of trust

1. The general principle of the **presumption of minority** must always be respected. In accordance with this principle, a person claiming to be under the age of 18 must be treated as a child and enjoy the rights of the child throughout the assessment process.
2. The assessment of age should not be undertaken **in a systematic or arbitrary manner**: it should only be carried out when there are doubts, **validated by a pediatrician**, about the age of a child, and when it is in the child's **best interests** that it be established.
3. The child has the right to be informed about the age assessment procedure and his or her rights in a child-friendly way. It is imperative that the authorities seek the **informed consent of the child and the person of trust** before proceeding with the assessment of the age. The child's opinion must be given due weight, taking into account his maturity.
4. The authorities must ensure that the child understands that he has the **right to refuse** to participate in the assessment of age. The refusal to submit to this procedure must not influence the assessment of the age or the result of the application for protection or asylum.
5. The estimation of age must be a **multidisciplinary** approach. Global and holistic methods must always be applied. The multidisciplinary framework must include the consideration of **documentary evidence (identity documents, school records, etc.)** and an interview with the child, during which the child's maturity can be evaluated on the basis of a psychological, emotional, developmental, environmental and sociocultural assessments. Interviews should not be conducted in ways that may influence the child's opinion or response.
6. The burden of proof in any age assessment **procedure must be shared between the person concerned and the decision maker**.
7. Forensic examinations should be **an exceptional measure of last resort**. If a forensic examination is necessary, a pediatrician should be involved in the decision-making process and, if necessary, an interpreter should be present. The presence of a socio-cultural mediator may be requested, as well as that of the person of trust.
8. Persons undergoing a forensic age assessment test **must be informed in a clear and appropriate manner of the nature of the test and its possible medical consequences**. Individuals must also be informed about the possible legal consequences of the tests, in particular as regards their legal status. This information must be transmitted in a child-friendly way, and in a language, which they can understand.
9. In the constellation of medical examinations, **sexual maturity examinations** of the person concerned are contrary to the dignity of the person. **In no case should it be used as this practice is a violation of the privacy and the integrity of the child**.
10. Children are entitled to an **effective remedy to challenge the decision** on age assessment. This implies that the child has access to free legal representation and free interpretation services. The procedures must be child-friendly. They must be accessible, free and conducted as expeditiously as possible.



## References

1. SCEP, [Statement of Good Practice](#) (2009), §D5.3; CRC, [General Comment No. 6 \(2005\)](#), section V., 31A ; UNHCR, [Guidelines on Policies and Procedures in Dealing with Unaccompanied Children Seeking Asylum](#) (1997), §5.11, lett. c)
2. CSDH, [Mise en œuvre des droits humains en Suisse. Un état des lieux dans le domaine de la politique de l'enfance et de la jeunesse](#) (2013), §13 ; SCEP, [Statement of Good Practice](#) (2009), §D5.1 ; UNHCR, [Conclusion No. 107 on Children at Risk](#) (2007), Prevention response and solutions §g.
3. FRA, [Age assessment and fingerprinting of children in asylum procedures](#) (2018), p. 7, §2; CRC, [General Comment No. 12](#) (2009), §28
4. EASO, [Practical guide on age assessment](#) (2018), p. 65 ; Unicef, [Age assessment: a technical note \(2013\)](#), §4, p. 15 ; SCEP, [Statement of Good Practice](#) (2009), §D5.3; UNHCR, [Guidelines on Policies and Procedures in Dealing with Unaccompanied Children Seeking Asylum](#) (1997), §5.12 et §5.15
5. CRC, [General Comment No.4](#) (2017), §II.4 ; SCEP, [Statement of Good Practice](#) (2009), §D5.1; CRC, [General Comment No. 12](#) (2009), §22; CRC, [General Comment No. 6 \(2005\)](#), §21 and section V.b
6. EASO, [Practical guide on age assessment](#) (2018), p. 48 et 69; Unicef, [Age assessment: a technical note\(2013\)](#), §2
7. FRA, [Age assessment and fingerprinting of children in asylum procedures](#) (2018), p. 7, §2; EASO, [Practical guide on age assessment](#) (2018), p. 63; CRC, , [General Comment No.4](#) (2017), §II.4
8. FRA, [Age assessment and fingerprinting of children in asylum procedures](#) (2018), p. 8, §3; SCEP, [Statement of Good Practice](#) (2009), §D5.2;
9. CoE, [Resolution 2195](#) (2017), §6.7; FRA, [Age assessment and fingerprinting of children in asylum procedures](#) (2018), p. 8, §2; EASO, [Practical guide on age assessment](#) (2018), p. 63
10. CRC, [General Comment No.4](#) (2017), §II.4 ; SCEP, [Statement of Good Practice](#) (2009), §D5.2; CRC, [General Comment No. 12](#) (2009), §46

