Study Group on forensic Age diagnostics

EASO activities on Age Assessment

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EASO DAS, Asylum Procedures for children
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Who we are?
What we do?
EASO is the EU agency on asylum

- EASO assists EU Member States on asylum matters and to fulfil their European and international obligations to give protection to people in need

EASO acts as an independent centre of expertise on asylum

- EASO supports the implementation of the CEAS and assists Member States in their efforts to implement a more consistent asylum policy in Europe where similar cases are given a similar treatment resulting in a similar outcome
- EASO provides operational support through emergency, special and joint processing activities, upon the request of Member States whose asylum and reception systems are under particular pressure

EASO provides asylum support to MS authorities

- EASO fosters the exchange of best practices by mapping Member States’ practices, policies and practical needs in implementing the CEAS
- EASO develops practical tools to support asylum officials in their daily work and to foster convergence towards common practice
- Through its Training Curriculum, EASO trains EU asylum and reception officials which contributes to a coherent implementation of the Common European Asylum System
- EASO shares and merges information and data, analyses and assessments at EU level
Support tools

- Data collection (EPS)
- Expert meetings
- Practical cooperation tools
- EASO Training Curriculum
- Child-specific COI
- Special Support

Thematic scope

- best interest of the child
- age assessment
- family tracing
- trafficking of children

Mainstreaming children topics in all EASO activities
EASO activities on Age assessment

- 5 Expert meetings (all MS representatives)
- 2 Working groups (selected group of experts)
- Publications:
  - 1st edition EASO Age assessment practice in Europe (December 2013)
  - 2nd edition under development (to be published in 2017)
EASO Publication on Age Assessment practice in Europe- key aspects

- Best Interests of the Child
- Procedural measures and safeguards
- **Overview and SWOT of methods in**
- Aspects of decision making
- Forward Look: possible future methods

Available in BG, DE, EN, EL, ES, FR, IT at

EASO Guidance on Age Assessment (2nd Edition)

The new edition is structured around four interlinked pillars:

- *Circumstances of age assessment* (when and why is necessary)
- *Best interest of the child and procedural safeguards.*
- *Methodology*
- *Final recommendations: implementing the holistic approach.*

This publication is completed by a series of annexes:

- *Glossary*
- *Legal framework and policy guidance*
- *Best interests assessment checklist*
- *Overview of EU+ States practices*
Why is age assessment necessary in the asylum context?

• to ensure that children rights entitled to them under law are guaranteed,
  (children are treated as children)
• to prevent adults from being placed amongst children and from taking advantage of additional provisions
Methods and key findings from the 2016 mapping
Documents

Carpal (hand/wrist) X-ray

Psychological interviews

Sexual Maturity...

Social services...

Physical development

Collar bone X-ray

Dental Observation

Age determination...

Dental X-ray

Estimations physical...

Other
Procedural safeguards and age assessment

If necessary, how should age assessment be conducted?
<table>
<thead>
<tr>
<th>Observing procedural safeguards (Article 25.5 APD)</th>
<th><strong>Observing the BIC</strong></th>
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<td>&lt;b&gt;Justification: grounded doubts&lt;/b&gt;</td>
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<td><strong>Benefit of the doubt</strong></td>
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<td>Qualified professionals</td>
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<td><strong>Informed</strong> Consent</td>
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<td><strong>Least intrusive</strong> Method</td>
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<td><strong>Most accurate method and documented margin of error</strong></td>
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<td>Consequences of refusal</td>
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<td>Options to challenge</td>
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</table>
The benefit of the doubt applies

Considered and treated as a child

Lack of evidence and absence of article 4.5 a-d) conditions

- Grounded Doubts

During the age assessment

- whilst doubts remain

At any stage of the process

- When any of the results of point out at the underage

After age assessment

- Inconclusive results: always taking the lowest age of the margin
EASO Key Recommendations I

- **BIC** effectively considered
- Only undertaken where there are **doubts** about the claimed age
- **Multidisciplinary and holistic approach** (comprehensive approach, assessing the needs, considering psychological maturity also, panel of experts from different disciplines)
- Full respect for the **individual’s dignity**, selecting the **least invasive** methods
EASO Key Recommendations II

✓ Informed consent and consultation
✓ Opportunity to challenge
✓ Practitioners should have initial and ongoing training
✓ Process conducted in a gender appropriate manner by independent experts familiar with the child’s cultural background
Thank you very much for the attention

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