Please cite as: EUAA, '5.6.3. Assessing the age of a child applicant' in *Asylum Report 2022*, Μάιος 2022.

5.6.3. Assessing the age of a child applicant

5.6.3. Assessing the age of a child applicant

icon presenting assessing the age of a child applicant

In 2021, the EUAA updated and published its findings on age assessment practices in EU+ countries.1428 Complementing a child-friendly animation which was released in 2020,1429 the agency published a booklet for children arriving to Europe which explains what the age assessment process is.1430 AWAS in Malta has updated the age assessment procedure and the age assessment tool with the support of the EUAA, according to the Agency's guidelines.

An advisory council was established in Belgium, chaired by the Catholic University of Leuven and the University of Ghent, to improve and standardise age assessment processes, ensuring that all hospitals carry out the examinations in the same manner. Authorities continued to be faced with a high number of applicants claiming to be minors: in 2021, 69% of self-proclaimed minors were found to be adults.

The Croatian Ministry of the Interior clarified the procedural steps for an age assessment in collaboration with medical institutions. However, no age assessment has so far taken place based on the new rules in 2021, as self-proclaimed minor applicants had absconded before the process could be initiated.

In Slovenia, authorities can request an age assessment already when an asylum application is made, instead of when it is lodged. These amendments were introduced to ensure that children can have access earlier to tailor-made reception and support, and authorities can start arranging procedural guarantees.1431

In Cyprus, the Administrative Court for International Protection raised issue with the age assessment procedure and the role of Social Welfare Services as the guardian of unaccompanied children.1432 Based on the judgment, national authorities started to revise relevant roles and procedures.

Finnish authorities purchased a new, more reliable software which automatically calculates an applicant's presumed age based on an X-ray of the wrist. Discussions were also underway in France to revise the methods for an age assessment, in particular related to bone age assessments.

Principles of the age assessment procedure were clarified with the Organic Law 8/2021 in Spain. The law underlines that when the age of majority cannot be established, the person must be considered a minor pending the results of the age determination. Medical tests require the child's prior informed consent, and they must be carried out respecting the child's dignity and without risking the child's health. Medical tests which are invasive, require the child to be completely naked or genital examinations can no longer be done.1433

Amnesty International welcomed these changes and urged for additional measures to accelerate the age assessment process, noting that approximately 1,000 minors were waiting for the results of their age determination on the Canary Islands, in some cases for over a year.1434 Indeed, the UN Committee on the Rights of the Child found that Spain had violated several articles of the Convention on the Rights of the Child in the age assessment process for a Gambian child who arrived to the Canary islands by boat. The Committee also found several violations in the age assessment process and the subsequent treatment of a girl from Cameroon fleeing domestic violence.

In June 2020, the Swedish government commissioned an independent inquiry to examine the method used by the National Board of Forensic Medicine for the medical age assessment in the asylum process.1435 The inquiry's interim report was published in October 2021 (SOU 2021:84). It contains, for example, the current underlying scientific basis for the method and a description of how the board's statements have developed over time. The inquiry's final report will include a research study and is expected to be published in 2024.1436

The Constitutional Court in Czechia concluded that an applicant's constitutional rights were violated when the medical examination for an age assessment was undertaken in the absence of an interpreter and without the supervision of the child protection services. The flaws in the process led to the applicant being treated and detained as an adult.

The Court of the Hague reiterated case law that information from another Member State showing that the applicant was registered as an adult was sufficient to consider him an adult also in the Netherlands.

- 1428European Union Agency for Asylum. (July 2021). Age assessment practices in EU+ countries: Updated findings. https://euaa.europa.eu/publications/age-assessment-practices-eu-countries-updated-findings
- 1429European Union Agency for Asylum. (2021). EASO Asylum Report 2021: Annual Report on the Situation of Asylum in the European Union. https://euaa.europa.eu/easo-asylum-report-2021
- 1430European Union Agency for Asylum. (January 2022). All you need to know about age assessment. https://euaa.europa.eu/publications/all-you-need-know-about-age-assessment
- 1431Zakon o spremembah in dopolnitvah Zakona o mednarodni zaščiti (ZMZ-1A) [Act amending the International Protection Act (ZMZ-1A)], March 26, 2021. http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO8192
- 1432Cyprus, Administrative Court for International Protection [Διοικητικό Δικαστήριο Διεθνούς Προστασίας], Y.D.M.O. v Republic of Cyprus, through the Asylum Service, Case No 601/16, 31 December 2021 (not published yet)

- 1433Ley Orgánica 8/2021, de 4 de junio, de protección integral a la infancia y la adolescencia frente a la violencia [Organic Law 8/2021 of June 4 on the comprehensive protection of children and adolescents against violence]. https://www.boe.es/eli/es/lo/2021/06/04/8
- 1434Amnesty International. (2021, October 19). Canarias: más de mil menores no acompañados en riesgo de acabar viviendo en la calle en un limbo sin derechos [Canary Islands: more than a thousand unaccompanied minors at risk of living in the street in a limbo without rights]. https://www.es.amnesty.org/en-que-estamos/noticias/noticia/articulo/canarias-mas-de-mil-menores-no-acompanados-en-riesgo-de-acabar-viviendo-en-la-calle-en-un-limbo-sin-derechos/
- 1435Swedish Government | Regeringskansliet. (2021, April 22). Tilläggsdirektiv till Utredningen om medicinsk åldersbedömning (Ju 2020:14), Dir. 2021:27 [Supplementary Directive to the Inquiry into medical age assessment (Ju 2020:14), Dir. 2021:27]. https://www.regeringen.se/rattsliga-dokument/kommittedirektiv/2021/04/dir.-202127/
- 1436Ministry of Justice | Justitiedepartementet. (2021, October 28). Granskning av Rättsmedicinalverkets metod för medicinsk åldersbedömning i asylprocessen, SOU 2021:84 [Review of the National Board of Forensic Medicine's method for medical age assessment in the asylum process, SOU 2021:84]. https://www.regeringen.se/rattsliga-dokument/statens-offentliga-utredningar/2021/10/sou-202184

© European Union Agency for Asylum 2026 | Email: info@euaa.europa.eu