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Assessing the best interests of the child

In assessing the best interests of the child, EU+ States shall in particular take due account of the following factors:

- family reunification possibilities;
- the child's well-being and social development, taking into particular consideration the child's background;
- safety and security considerations, in particular where there is a risk of the child becoming a victim of human trafficking;
- the views of the child in accordance with his/her age and maturity (10).

For further guidance, the *EASO Practical guide on the best interests of the child in asylum procedures* provides an overview of the best interests' principle with the relevant terminology, preconditions and safeguards, vulnerability and risk indicators, and guidance on how to assess the best interests of the child (11).

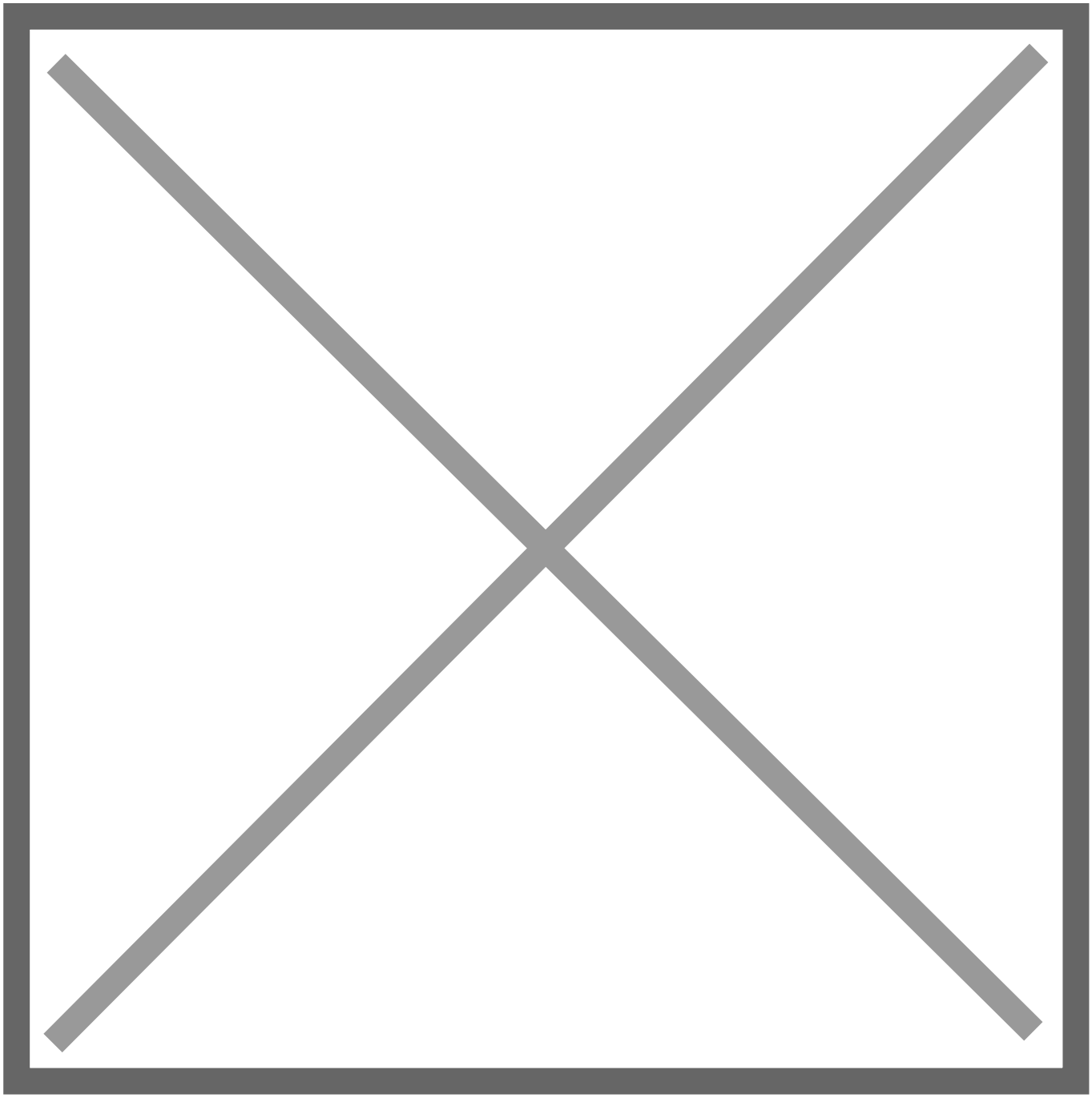


Figure 3. Best interests of the child. Adapted from the EASO Practical guide on considering best interests of the child in asylum procedures.

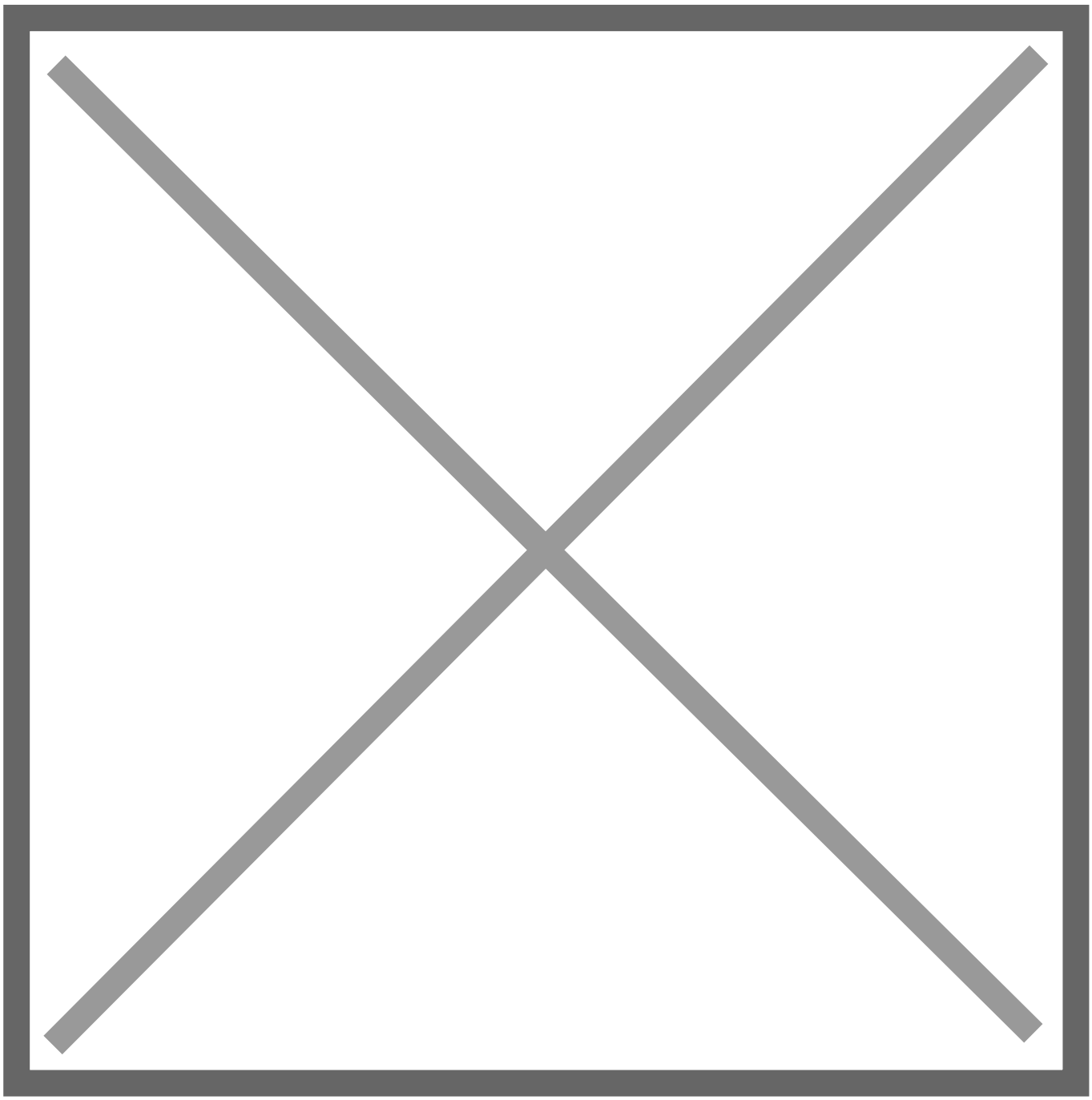
Applying the best interests principle is integral to the standards and indicators included in this guidance and should be observed in the provision of reception conditions in national systems.Putting the principle of the best interests of the child into practice requires a range of elements to be assessed, feeding into the overall process of conducting a **best interests assessment.**The chapters on participation, special needs and risks, as well as those on allocation, day-to-day care and healthcare elaborate in detail the range of necessary and suggested considerations that are part of the best interests assessment.

The assessments are carried out by those who are in direct contact with unaccompanied children in the reception context, while the multidisciplinary nature of best interests assessment

has to be taken into account.The multidisciplinary nature of the best interests assessment means that the perspectives and opinions of different types of professionals whose opinions are relevant for the decision-making on a specific point are taken into consideration (e.g.representatives, caretakers, social assistants, psychologists, medical doctors, educators).

Assessments are carried out at different phases after arrival.According to Article 22 RCD, the assessment of special reception needs shall be initiated within a reasonable period of time after an application for international protection is made.In addition, MS shall ensure that those special reception needs are also addressed, in accordance with the provisions of the RCD, if they become apparent at a later stage in the asylum procedure.MS shall ensure that the support provided to those applicants for international protection with special reception needs in accordance with the RCD takes into account their special reception needs throughout the duration of the asylum procedure.

Therefore, an immediate preliminary assessment covering vulnerability, special needs and risks (cf.Chapter 2, Special needs and safety risks) has to be carried out in any case, and a best interests assessment is to be initiated at this stage.The above-mentioned assessments have to be carried out in a comprehensive and regular manner linked to a continuous best interests assessments for all actions and decisions where children are concerned.



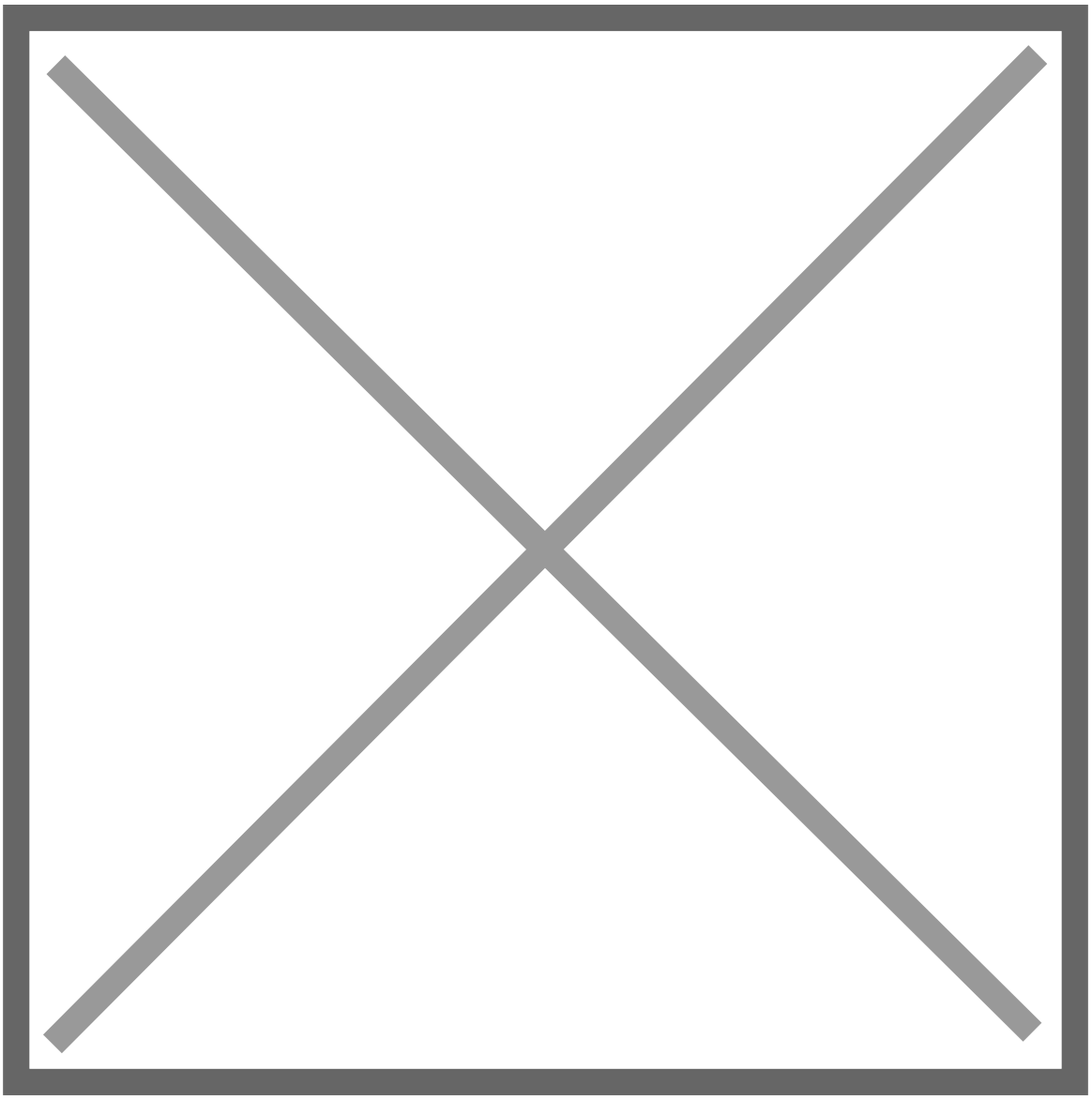


Figure 4. Stages of assessment.

(10) Article 23 RCD.
(11) For further guidance on the principle of the best interests of the child see: UNHCR, *Safe and Sound*, 2014, available at http://www.refworld.org/docid/5423da264.html (accessed 25 April 2018); UNHCR/International Rescue Committee, *Field Handbook for the Implementation of UNHCR BID Guidelines,* 2011, available at https://reliefweb.int/report/world/field-handbook-implementation-unhcr-best-interests-determination-bid-guidelines; UNHCR, *Guidelines on Determining the Best Interests of the Child*, 2008, available at http://www.unhcr.org/4566b16b2.pdf.

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