

Please cite as: EUAA, '2. Procedural safeguards' in *EASO Practical guide on the best interests of the child in asylum procedures*, January 2022.

2. Procedural safeguards

The legal framework requires the establishment of a number of safeguards to ensure that the best interests of the child are given due weight as a primary consideration. Many of these safeguards are applicable generally for all asylum-seeking children. What is highlighted here is exactly how they serve the implementation of the BIC. For example, access to a guardian is a general safeguard for all unaccompanied asylum-seeking children. At the same time, involving the guardian in the BIC process or including an assessment carried out by the guardian is part of the safeguards that ensure that BIC are given primary consideration.

- **Safety**
- **Qualified staff**
- **Applying for international protection**
- **Registration**
- **Exemption from border/accelerated/fast-track procedures**
- **Provision of legal advice**
- **Provision of information and interpretation**
- **Hearing the child's views and child participation**

These specific procedural guarantees and safeguards must always be ensured and applied as part of the asylum procedure for children. Procedural guarantees are obligations for the authorities and rights for the children. At all times, while giving primary consideration to the child's best interests, the responsible officers should also continuously verify that the necessary procedural safeguards are in place. The responsible officers should ensure that the rights of that individual child are protected.

It is clear that several actors from different authorities intervene in relation to a child's application for international protection. All of them are responsible — in their field of competence — for taking the BIC as a primary consideration. The responsible officer can belong to any of these actors/authorities. However, social workers/CP case managers are the ones responsible for CP case management.

The safeguards highlighted in the present guide refer to any interview conducted with the child, including the personal interview in the context of the asylum procedure.

Examples of practice

In CY, upon submission of the application for international protection, the child is provided with a separate form for the identification of vulnerable persons. The assessment of the BIC is carried out by the Social Welfare Services on an ongoing basis until the child turns 18 years old.
In LV, the BIC is assessed throughout the entire asylum procedure through observation and communication with the child that is conducted on different occasions.
In NO, the Norwegian Directorate of Immigration assessment of BIC requires that the child is given the opportunity to express their views on matters which pertain to them.

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