Please cite as: EUAA, '3.2 Putting procedural safeguards in place' in *EASO Practical guide on the best interests of the child in asylum procedures*, January 2022.

3.2 Putting procedural safeguards in place

Note that EU+ States have different order of steps. The table below does not suggest a sequence but rather a method. It describes how to check if the applicable guarantees and safeguards for the purpose of the best interests of the child are implemented and what the responsible officials should do to put the safeguards in place. The use of the checklist should start at an early stage in the asylum procedure.
Different actors could work jointly on the checklist as a living document to be filled in by the respective authorities whose responsibility it is to carry our certain activities. For example, 'The child has access to legal assistance' — can be confirmed by the child's legal representative and information can be included regarding legal counselling meetings that the legal representative has had with the child.

Procedural guarantees and safeguards	Related actions by the asylum authority
The child's safety has been ensured throughout the process	Check and confirm that the child is not facing any medical emergencies and/or serious threats to their safety and physical integrity during the asylum procedure/at the place of residence including any form of violence, neglect and exploitation
The child has access to childfriendly procedures conducted by qualified and trained professionals	Check and confirm that only qualified and appropriately trained officers are involved in interviewing and dealing with the child's case.
Prioritised examination has been applied	Look at the timeline for the child's case and the file, and ensure that it has been duly prioritised, the child has been exempted from border and accelerated procedures where relevant and appropriate rest and recovery periods have been given
The child has access to qualified, independent guardian/ representative	Check when a guardian/representative was appointed to the child and if they have been involved at all stages of the process concerning the child, including presence during interview. As good practice, a system to supervise the guardian/representative's work should be in place.
The child has access to legal assistance/advice	Check and confirm that the child has had and continues to have timely access to legal advice and counselling. The timing of this is important, i.e. early legal advice, presence during interview as well as advice at the appeals stage.

The child has access to interpretation throughout the process	Check and confirm that the child has access to interpretation in a language that they understand. The interpreter should be trained on interpreting for children and use child-friendly language. If the interpreter is not specifically trained in working with children, ensure that there is an adequate preparatory session so that the interpreter understands the type of language that will be used, the type of questions, the need to use simple language. The child has the possibility to complain about problems relating to the quality or the neutrality of the interpretation and translation. Problems with interpretation are registered and monitored. Check and confirm how communication was assured pre-interview and if the interview arrangements are adequate.
The child understands and has been adequately informed in a timely manner of the asylum process in an age-appropriate way and in a language the child can understand	Check and confirm that the child has received child-friendly information on the asylum processes, and that the information has been presented in a manner appropriate to their gender and cultural background. The child's understanding has been checked. It has been checked if the way of explaining was deemed suitable and child-friendly. The child is given the opportunity to ask questions. The child has been asked to explain what they have understood and to confirm, correct or complete the information as necessary.
The child's views have been heard and they have been weighted in accordance with age and maturity	Check and confirm that any interview with the child has included questions about how the child feels and what the child thinks about their situation. The child's maturity and the support they may have or need to express their views should be explored and documented. The views/wishes of the child to remain in the country, move to another country, etc. and the reasons for those views/wishes should be heard.
The child's special needs and vulnerabilities have been identified and addressed	Check and confirm that an assessment of the special needs has been conducted and relevant questions have been asked during any interview with the child to identify and address any potential special needs, vulnerabilities or risks, including abuse. For example, this assessment could include questions about the child's experiences back home, during travel or in the reception facility, health aspects, the relationship with their accompanying family and/or caregiver, among others.
For separated children: family link with the caregiver has been confirmed (if applicable)	Check and confirm that the family link has been verified and confirmed through documentation and/or relevant questions during an interview or other applicable methods in line with the BIC, and the findings have been documented. There may be cases where it is in a separated child's best interests not to be entrusted to a related adult. In such cases, ensure that the child is not entrusted to a related adult when it is not in their best interests.
Application for international protection is being assessed in line with BIC	Take into account the impact that age and potentially trauma and/ or psychological conditions have on the memory and capacity to give complete and coherent information and thus on the credibility assessment during the examination.

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