

2.2. Age assessment interviews and psychosocial assessments

The APR does not exhaustively regulate the methods to be used within the multidisciplinary assessment, leaving this to the procedural autonomy of Member States. Recital 37 of the APR states that a multidisciplinary assessment may include an analysis of documentation, visual assessments, interviews and psychosocial assessments, and specifies that it should take into account physical, psychological, developmental, environmental and cultural factors, which may be difficult to assess on the basis of documentation or physical appearance alone. It follows that interviews are an essential element for an age assessment and must precede more invasive methods.

For its part, ECtHR case law and the views adopted by the CRC Committee consistently hold that applicants undergoing an age assessment must have an opportunity to explain their individual circumstances, provide and request clarifications, express their views and, consequently, attach particular importance to interviews in the context of an age assessment. The case law examined has clarified and developed the standards for interviews:

- Interviews are a mandatory component of an age assessment, with their omission by authorities possibly leading to a violation of the rights of the child. However, the UN CRC Committee has also noted that children should not be interviewed more often than necessary, particularly when discussing potentially traumatic events.
- Interviews must take place in proper sequence, as a first step before more intrusive methods, and with regular interviews about life events preceding more in-depth psychosocial assessments.
- Though not explicitly regulated, the manner in which interviews take place is relevant, as the lack of substantive quality may lead to violations of procedural guarantees. Interviews must examine the situation of the applicant, giving the opportunity to meaningfully react to any doubts, and must be carried out by qualified staff in a language understood by the applicant, with representation and interpretation services.
- Finally, German case law and jurisprudence examining Dutch interview practices prior to the implementation of the Pact provide examples of requirements for interview-based assessments that may contribute to more effective judicial review.

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