

2.2.1. Interviews are not optional in an age assessment

A fundamental point established across age assessment case law is that interviews are an essential, mandatory component, not an addition at the discretion of the authority. This specific point was raised by third-party interveners before the ECtHR in *F.B. v Belgium* (6 March 2025), who criticised the Belgian authorities for their systematic and immediate use of bone age tests to the detriment of identity documents and other methods, including interviews, which are more respectful of the best interests of the child and which were provided for by Belgian law. The ECtHR repeatedly emphasised that, given their invasive nature, medical examinations should only be carried out as a last resort if other means of resolving doubt about the person's age have not yielded conclusive results (*F.B. v Belgium*, 6 March 2025, para 92). Significantly, for a measure such as a medical examination to be considered proportionate and necessary in a democratic society under Article 8 of the European Convention, the test used by the ECtHR mandates a national authority to rule out the existence of a less-serious alternative that achieves the same objective. It thus follows that interviews, which are a less serious alternative, are not optional for authorities.

Similarly, the CRC Committee recognised that interviews are essential for age determination[22] and highlighted that children should not be interviewed more often than necessary, particularly when discussing potentially traumatic events.[23] The committee found violations of Articles 3 and 12 of the CRC precisely because the applicants had been subjected solely to radiological examinations, with no interview forming part of the age assessment (*A.L. v Spain*, 31 May 2019, para 12(4) and *A.D. v Spain*, 4 February 2020, paras 10(10) and 10(11)).

While an interview is used to reconstruct a chronological sequence of life events to support an estimation of age, if the interview is not sufficiently informative and conclusive, a psychosocial assessment should follow to explore the individual's life experiences, psychological and emotional maturity, development and behaviour.[24] The failure to carry out psychosocial assessments may result in a substantive human rights violation, and not merely a procedural irregularity, as the ECtHR held in *N.N. and others v Greece* (19 December 2024, paras 2-12). In the case, authorities failed to carry out psychosocial evaluations which are required under Greek law, with the result that the applicants were not identified as children and were not placed in appropriate reception conditions, in violation of Article 3 of the Convention.

The CJEU has not directly interpreted provisions concerning psychological assessments for the purposes of age verification, but its case law on the use of such tests to assess credibility in LGBTIQ claims is relevant as it reveals that the court considers psychological testing to be an intrusive method. Its use must be proportionate to the interference with the right to private life

under Article 7 of the EU Charter, particularly given that, in asylum procedures, consent to evidentiary methods may not be genuinely free and requires particular attention in child-related cases (case C-473/16, 25 January 2018, paras 53 to 59).

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  UN (16 November 2017). Joint General Comment No 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return, CMW/C/GC/4-CRC/C/GC/23, para 4.

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  UN Committee on the Rights of the Child (20 July 2009). General comment No 12: The right of the child to be heard, CRC/C/GC/12, para 24.

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  EUAA (25 November 2025). Practical Guide on Age Assessment, pp. 53-54.

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