MSF, Save the Children and We Are Monitoring issue recommendations on age assessments

In November 2025, Médecins Sans Frontières (MSF), together with Save the Children and We Are Monitoring, published the advocacy brief "Age as a Verdict", based on data from 2024 and the first half of 2025. It notes that in 2024, 286 individuals were referred for age assessment in medical facilities near the Polish-Belarusian border, of whom only 17% were recognised as minors. During the first half of 2025, as few as 17 individuals were referred for age assessment in the same region, of whom 14% were determined to be minors.

The report outlines the Polish legal framework for age assessment of third-country nationals whose age is in doubt, mainly regulated by the Act on Foreigners and the Act on Granting Protection to Foreigners on the Territory of the Republic of Poland (the Asylum Act). It notes that the legislation does not specify whether age assessment should be used as a measure of last resort and does not define the methodology beyond the term "medical examination". The advocacy brief further stresses that the legislation does not require consideration of the applicant's declaration, the presence of legal representation, interpretation, psychological observation, or submitted documents, nor does it provide an appeal procedure to challenge the outcome of an age assessment. It concludes that domestic legislation and practice do not meet the standards set out in the Pact on Migration and Asylum.

The report indicates that the most commonly used methods for age assessment in Poland consist of wrist X-rays using reference standards derived from Caucasian descent, such as the Greulich and Pyle atlas and the atlas compiled by Jadwiga Kopczyńska-Sikorska, which consistently yield inaccurate results when applied to individuals from non-Caucasian backgrounds. The advocacy brief notes that such methods, whose a significant margin of error is not accounted for in Border Guard forms used for age assessment, are unsuitable for high-stakes decisions like determining legal age.

The report concludes with the following recommendations:

- End the use of arbitrary visual triage as a basis for access to asylum procedures and protection.
- Refrain from using harmful medical examinations to determine age, and instead take into consideration applicants' statements and all available

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evidence.
- Introduce an interdisciplinary approach to age assessment that incorporates psychosocial dimensions.
- That the relevant Polish medical associations develop a clear position on current procedures for chronological age assessment, providing reporting physicians with clear guidelines and a standardised report structure.
- Ensure informed consent of children through reliable information provided in a language- and child-friendly format.
- Afford suspected children the presumption of minority, appoint a guardian from the moment the minority claim is made, and grant them the benefit of the doubt.
- Establish mechanisms for appeal to challenge the outcome of age assessments.
- Establish a monitoring mechanism for age assessment procedures.

Source(s)

- Médecins Sans Frontières (17 March, 2026), [Polish legislators must drop harmful ‘age as a verdict’ measures for children and migrants], https://www.msf.org/polish-legislators-must-drop-harmful-age-assessment-children

Related development(s)
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