Iceland adopts regulation on the best interests of children in international protection procedures

On 19 June 2026, the Parliament of Iceland adopted a regulation establishing a dedicated national framework for assessing the best interests of children in international protection procedures.

The regulation provides that the best interests of the child must be the primary consideration throughout the examination of asylum applications and requires the Directorate of Immigration to explicitly explain in its decisions how this assessment has been carried out. It also provides for an individual assessment of every child, regardless of the status of accompanying family members, taking into account factors such as the child's safety, welfare, social development, age, maturity, views, family circumstances, vulnerabilities, and conditions in the country of origin or return. The regulation also affirms that assessments must be conducted in accordance with the Aliens Act, the Child Protection Act, the UN Convention on the Rights of the Child, and Iceland's international obligations.

The regulation introduces detailed procedural safeguards to ensure child-sensitive asylum procedures. These include the child's right to be heard through interviews conducted by specially trained officials in a child-friendly environment, with interpretation and representation where appropriate. It reinforces the principle of family unity while requiring an individual best interests assessment in each case and particular consideration of the risk of family separation upon return. Additional safeguards apply to unaccompanied children, including assessment of family tracing and reunification, the availability of child protection services in the country of return, and consultation with child welfare authorities before decisions refusing continued stay.

The Regulation, which entered into force on 19 June 2026, is amending the Foreign Nationals Act No. 80/2016 and specifically the provisions under Article 28, paragraph 7 of Article 37 and Article 120. It was published in the official journal of Iceland on 26 June 2026.

Source(s)

- Official journal | Stjórnartíðindi (26 June, 2026), REGLUGERÐ Nr. 726/2026 um mat á hagsmunum barns sem sækir um alþjóðlega vernd. [Regulation No. 726/2026 on assessing the best interests of a child applying for

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international protection.],
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