

(English version)

**Priority question for written answer P-003352/25
to the Commission
Anna Maria Cisint (PFE)
(1 September 2025)**

Subject: Problems related to the presence of unaccompanied foreign minors

In Italy, cases of unrest caused by unaccompanied foreign minors, such as those in Udine on 29 August 2025, are becoming increasingly common ⁽¹⁾.

Given the increase in serious crimes committed by unaccompanied minors, we believe that the legal framework recently adopted by the Commission in the context of the Pact on Asylum and Migration ⁽²⁾ and, in particular, Article 25 of Regulation 2024/1351 should be reformed. In this context, national authorities face considerable difficulties in verifying the actual age of these individuals and deporting those who commit crimes and threaten public security.

Against this background, the recent provisions adopted in the framework of the Pact on Asylum and Migration have proved insufficient to prevent fraud related to declared age.

In the light of the above:

1. Does the Commission not deem it appropriate and urgent to reform the legislative framework to introduce the bone testing already legally used in several Member States, which in most cases makes it possible to distinguish a minor from an adult?
2. How will the recently presented proposal on returns ⁽³⁾ make it easier to remove unaccompanied minors involved in serious crime, overriding the Court's findings in Case C-441/19 of 14 January 2021?

Submitted: 1.9.2025

**Answer given by Mr Brunner on behalf of the European Commission
(24 October 2025)**

The legislative instruments of the Pact on Migration and Asylum were adopted by the European Parliament and the Council in May 2024.

The provisions will enter into application on 12 June 2026. Based on the new rules, notably Article 25 paragraphs 2 and 3 of Regulation (EU) 2024/1348 ⁽¹⁾, if following a multi-disciplinary assessment there are still doubts as to whether or not an applicant for international protection is a minor, national authorities can use medical examinations, as a measure of last resort that is to be the least invasive possible.

As reported by the EU Asylum Agency in 2018 Practical Guide on age assessment ⁽²⁾, none of the existing assessment methods, including bone testing, leads to accurate estimates, while the multi-disciplinary approach reduces the margin of error. Considering the elements above, the Commission is not planning to reform the legislative framework.

The Commission proposal for a regulation on return ⁽³⁾ seeks to create a more coherent and efficient return system. The proposal intends to equip Member States with common rules for identifying and speeding up the return of third-country nationals, including those posing security risks. It also provides specific rules to be followed when returning minors.

The best interests of the child should be a primary consideration when applying this regulation, as well as the protection of children rights as enshrined in the Charter of Fundamental Rights of the EU ⁽⁴⁾.

¹ <https://www.telefriuli.it/cronaca/rissa-alla-casa-dellimmacolata-botte-da-orbi-ed-estintori-vuotati/>.

² Link: https://eur-lex.europa.eu/legal-content/en/TXT/PDF/?uri=OJ:L_202401351

³ https://eur-lex.europa.eu/resource.html?uri=cellar:9565bdd7-ff1a-11ef-9503-01aa75ed71a1.0001.02/DOC_1&format=PDF

⁽¹⁾ <https://eur-lex.europa.eu/eli/reg/2024/1348/oj/eng>.

⁽²⁾ <https://euaa.europa.eu/sites/default/files/easo-practical-guide-on-age-assesment-v3-2018.pdf>.

⁽³⁾ Proposal for a regulation of the European Parliament and of the Council establishing a common system for the return of third-country nationals staying illegally in the Union, and repealing Directive 2008/115/EC of the European Parliament and the Council, Council Directive 2001/40/EC and Council Decision 2004/191/EC: https://eur-lex.europa.eu/resource.html?uri=cellar:9565bdd7-ff1a-11ef-9503-01aa75ed71a1.0001.02/DOC_1&format=PDF.

⁽⁴⁾ https://eur-lex.europa.eu/eli/treaty/char_2012/oj/eng.