



EU Pact on Migration and Asylum: Legal Safeguards for the Unaccompanied Children in the Pact

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Helena Pall
European Commission
DG HOME Unit C.3 Asylum
E-mail: helena.pall@ec.europa.eu

Legislative files of the Pact

- Asylum and Migration Management Regulation
- Asylum Procedure Regulation
- Crisis and Force Majeure Regulation
- Eurodac Regulation
- Screening Regulation
- Qualification Regulation
- Union Resettlement Framework
- European Union Agency for Asylum Regulation
- Reception Conditions Directive

Links and further info at : https://home-affairs.ec.europa.eu/policies/migration-and-asylum/pact-migration-and-asylum/legislative-files-nutshell_en

The Pact in a Nutshell

- **Simpler and clearer asylum procedures:** clearer unified time limits, guarantees
- **Harmonised reception standards:** minimum standards for reception conditions, special provisions for vulnerable applicants
- **More attention to vulnerable individuals with special needs:** vulnerability assessment in 30 days, exemption from certain procedures in case guarantees cannot be respected
- **More guarantees for the applicants in general:** enforced information provision, free legal counselling, free legal assistance and representation during appeal
- **Preventing abuses:** consequences for non-compliance with the rules and obligations.

Procedural rights:

- Presence of a **representative** already during screening and Eurodac registration, throughout the asylum procedure
- **Free legal counselling** and **legal assistance and representation** at the appeal stage
- Clearer provisions on the **right to have asylum interview**
- Introduction of a **multi-disciplinary age assessment** to ensure fair treatment

➤ **Border procedure:**

Unaccompanied children exempted, except in cases where there are public security concerns

- **Families with children** cases must be **prioritised**.

If the Member States cannot address specific needs in the context of the border procedure, the border procedure shall cease to apply.

- **Independent mechanism for the monitoring of fundamental rights**

Reception conditions:

- The need to take into account the **specific needs of children** (stability and continuity of care)
- **Adapted reception facilities**
- Reinforced **information provision**
- Access to **education within 2 months**
- Minors receive the same type of **health care as provided to national minors**
- **Contingency planning** to take into account the impact of a disproportionate number of UAM applicants
- **Detention as a last resort:**
 - only in exceptional cases and as a last resort

New Provisions on Representatives

- **Deadlines for appointment:** max. 15 days from making the application (possible to extended 10 days)
- Introducing the figure of **temporary representative** (e.g. during screening, Eurodac registration)
- **Ratio of children per representative:** up to 30 children, exceptionally 50; Member States must do contingency planning.
- **Clear requirements for the role and performance of the representatives** + enforced training requirements
- Obligation for the Member States to **supervise and monitor representatives** and temporary representatives.
- **Right of the child to complain** when a representative does not perform tasks adequately.

Pact Implementation

- **Commission Implementation Plan (June 2024)**
- Adoption of NIPs in December 2024
- Contingency Plans adopted in April 2025
- State of play on Pact implementation