

Regarding the University of Iceland (UI) performing age assessment via dental x-rays on unaccompanied asylum seeking minors as a service to the Icelandic Directorate

In 2018, students at the University of Iceland (UI) brought to light that the institution had been performing age assessment via dental x-rays on unaccompanied asylum seeking minors as a service to the Icelandic Directorate of Immigration. These services were performed when the age of unaccompanied asylum seekers was put to doubt by the Directorate. The UI had been performing these services since 2014 without any contract or regulation and has received payment for it. No assessment had been made on the ethical implications of the practice at that time.

The results of these practices have been used in academic publications and are therefore scientific and academic research which must be in line with scientific ethical codes. Scientific ethic rules and the laws on patients of medical health demand informed consent of the patient undergoing a medical procedure of any kind. Individuals do not have to be ill or sick to be categorized as a patient. This means that these services given to the directorate must have informed consent from the unaccompanied minors seeking asylum. Informed consent has not been guaranteed in the time the services have been provided, and according to the ethic rules of the UI an unaccompanied minor can not give an informed consent. In addition, these x-rays are not a choice for the minors despite the UI arguing it is. The Icelandic Directorate of Immigration has publicly claimed that if a minor refuses to have the dental assessment, they are evaluated as an adult which can negatively affect their application for refuge in Iceland.

The Student Council of the University of Iceland (SHÍ) and the National Union of Icelandic Students (LÍS) have protested these practices being performed by the UI. In addition to the student unions, the Red Cross of Iceland and UNICEF Iceland have protested the measures being used in Iceland. A number of Phd students and academic staff within the UI signed a petition, publicly criticising this treatment of migrant children and demanded the UI to stop taking part in the process of migrants in this way. It was stated in the petition that the UI is a Higher Education Institution (HEI) that conducts research which aims to clarify and help the situations of this particular group in society. It is not responsible or fair for HEI to take part in the procedure of migrants in this way. The results of these proceedings can after all be used against asylum seekers and lead to them being sent out of the country. This has happened at least once in the recent years. In October of 2017 a 17 year old boy was to be deported since he was wrongly concluded to be 19 years of age by the UI

Regardless of the criticism and arguments received and complete lack of adequate counterarguments, the UI still continues performing these procedures and has now established a contract with the Directorate of Immigration. The UI is firm in their stand that it is important that they conduct these services with their best practices, but students have pointed out that they are indeed not even doing so by using x-rays, which are more harmful than an MRI. In the light of the ethical concerns and the incompatibility of HEIs and services such as this, these steps are unacceptable. The UI should immediately cease performing age assessment via dental x-rays on unaccompanied asylum seeking minors as a service to the Icelandic Directorate of Immigration.

ESU takes a stand with Icelandic students in this matter. X-ray use of unaccompanied migrant children as a service to governmental structures is a practice which HEIs as educational institutions with a key role in society should not be involved in. This is also in line with the stance of the Council of Europe¹, the British Dental Association² and the United Nations Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and 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.³

¹ <https://www.refworld.org/docid/5aafb42c0.html>

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http://www.forensicdentistryonline.org/wp-content/uploads/2018/10/bda_position_paper_on_daa_2012_0917_from2008.pdf

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<https://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=search&docid=5aafb42c0&skip=0&query=age%20assessment>