Please cite as: EUAA, '3.2.2.5. Procedural safeguards and remedies' in *Asylum Report 2024*, Juni 2024.

3.2.2.5. Procedural safeguards and remedies

3.2.2.5. Procedural safeguards and remedies

The CJEU joined five requests for a preliminary ruling from Italian courts and clarified that national authorities must provide information according to the modalities set out in the Dublin III Regulation and must hold a personal interview, both for first-time and subsequent applications. A failure to do so may lead to the annulment of the transfer decision in certain circumstances.

Throughout 2023, EU+ countries continued to seek suitable practical solutions to implement the CJEU's judgment in C-19/21 from 2022. Accordingly, an unaccompanied minor should be granted the right to appeal if the requested Member State refuses to take charge of examining the application when the request was sent on the grounds of Article 8(2) (reuniting an unaccompanied minor with a relative residing in another Member State).

The assessment of an applicant's medical conditions and trauma gave rise to several court decisions across EU+ countries when deliberating on the possibility to implement a transfer.333

- 333Ireland, High Court, *R.G* v *International Protection Appeals Tribunal & Anor*, [2023] IEHC 742, 19 December 2023.

© European Union Agency for Asylum 2026 | Email: info@euaa.europa.eu