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According to Article 4(3a) of the recast QD, determining authorities need to consider information on an applicant's country of origin. When authorities fail to do so, courts may intervene to emphasise how crucial it is to examine COI before making a decision on an asylum claim.

In November 2023, in the case of *X, Y and their six children v Staatssecretaris van Justitie en Veiligheid*, the CJEU interpreted Articles 15(c) and (b) of the recast QD. The ruling stated that national asylum authorities must consider all relevant factors, including the general situation in the country of origin, before determining the risk of serious harm when examining the need for subsidiary protection.

The Regional Court of Brno in Czechia determined that the Ministry of the Interior had asked a Moldovan applicant from Transnistria in an irregular way whether he would like to waive his right to comment on the COI documents, which he did. The court indicated that, while waiving the right to comment on COI is a possibility, according to the Administrative Code an effective waiver can occur: i) only after the applicant has been invited to familiarise himself/herself with the documents collected and ii) if the ministry properly instructs the applicant about the consequences of such a waiver. The Ministry of the Interior adapted its procedures reflecting the elements of the ruling.

At the beginning of 2024, the High Court in Ireland ruled in *M.B. v International Protection Appeals Tribunal & Anor* that the tribunal should, at a minimum, engage in some analysis of COI submitted by the applicant and provide an explanation for why it was rejected or why it preferred to use other COI, if that was the tribunal's stance.

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