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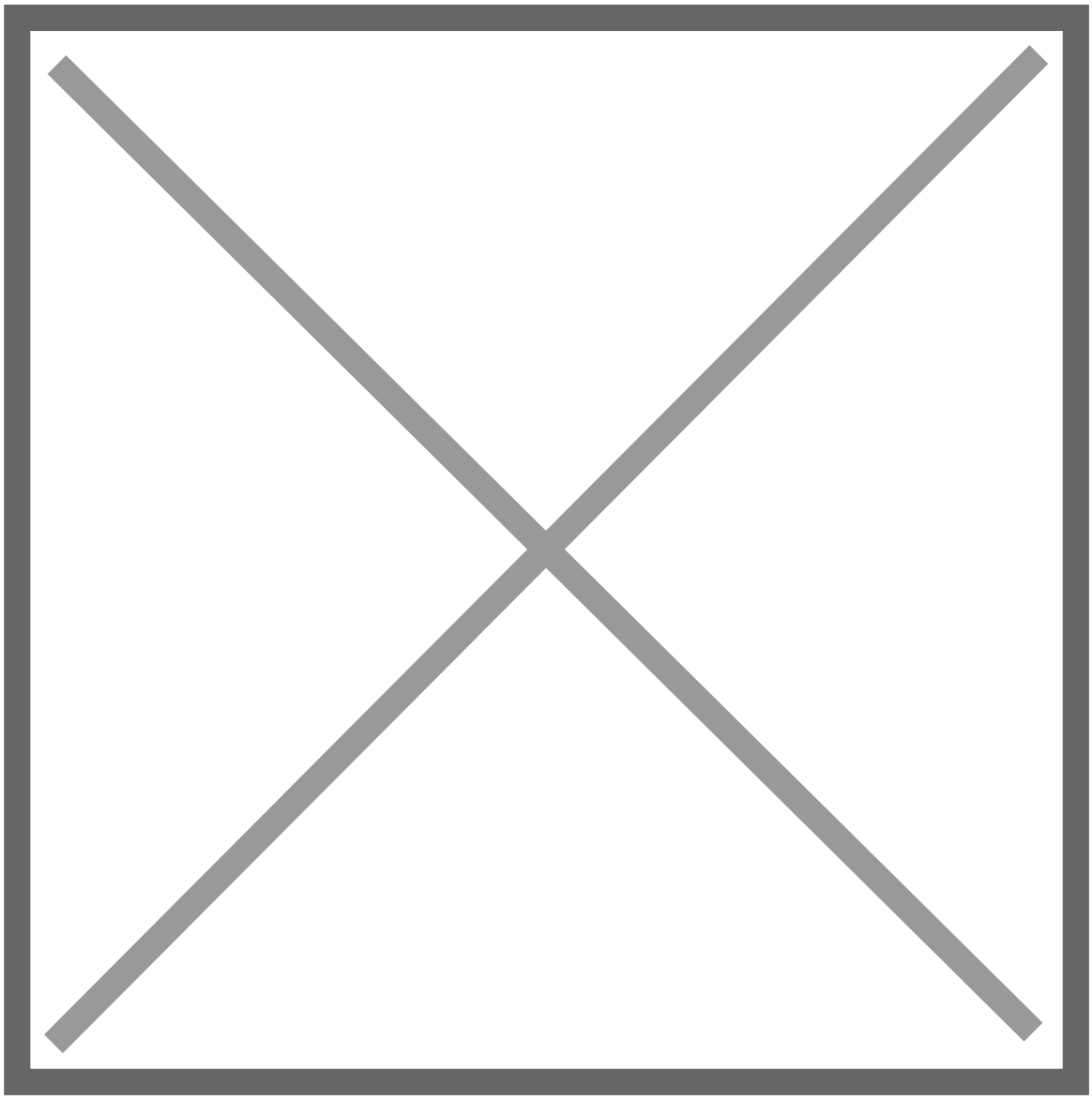
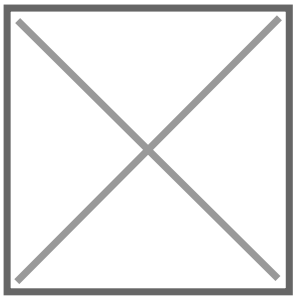
2.5 Jurisprudence of the Court of Justice of the EU



As the guardian of EU law, the Court of Justice of the European Union (CJEU) ensures that “in the interpretation and application of the Treaties, the law is observed” (TEU, Article 19(1)). As part of its mission, the CJEU ensures the correct interpretation and application of primary and secondary EU laws; reviews the legality of acts of EU institutions; and decides whether Member States have fulfilled their obligations under primary and secondary laws. The CJEU also provides interpretations of EU law when requested by national judges. The court, thus, constitutes the judicial authority of

the EU and, in cooperation with the courts and tribunals of Member States, ensures the uniform application and interpretation of EU law.[239]

In 2020, the CJEU issued several judgments mostly related to preliminary rulings, further interpreting various provisions of CEAS. The judgments covered topics related to effective access, the asylum procedure, the provision of personal interviews in inadmissible cases, forms of protection, detention, second instance procedures, non-discrimination of nationals and beneficiaries of international protection who subsequently acquired citizenship, family reunification and maintaining family unity, the return of third-country nationals and relocations, protection provided to stateless Palestinian by the UNRWA, refusal to perform military service, etc. In addition, the CJEU issued a judgment on national restrictions on funding of NGOs, affecting NGOs working in the area of international protection.



[239] Court of Justice of the European Union. (2021, May 12). *The Institution > General Presentation*. https://curia.europa.eu/jcms/jcms/Jo2_6999/en/





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