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2.4. Jurisprudence of the Court of Justice of the EU

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As the guardian of EU law, the Court of Justice (CJEU) ensures that “in the interpretation and application of the Treaties, the law is observed” (Treaty on European Union, 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. 268

In 2021, the CJEU issued more than 20 judgments (see *Sources on Asylum in 2021*) and orders, interpreting various provisions of CEAS. The judgments covered topics related to:

- effective access to the asylum procedure;
- the Dublin procedure;
- subsequent applications;
- the interpretation of the concept of state protection;
- the assessment of protection provided by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA);
- the interpretation of the concept of indiscriminate violence for the purpose of providing subsidiary protection;
- the use of detention;
- the extension of protection status as a derived right (based on the protection status of another beneficiary);
- the principle of equal treatment; and
- the return of rejected asylum applicants

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2.4.1. Effective access to the asylum procedure

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2.4.2. Dublin procedure

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2.4.5. Determining protection provided by the UNRWA

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2.4.6. Interpretation of indiscriminate violence for the purposes of granting subsidiary protection

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2.4.8. Extension of protection status as a derived right

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2.4.9. Equal treatment

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icon case law on rejected applicants for international protection

2.4.10. Return of rejected applicants for international protection

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- 268CJEU. (2022, May 3). General Presentation. https://curia.europa.eu/jcms/jcms/Jo2_6999/en/

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