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In 2023, Bulgaria and Romania participated in the European Commission's pilot project on fast-track procedures and returns.386In Bulgaria, a circular was adopted while waiting for the adoption of the amendment of the Law on Asylum and Refugees and officers were trained to facilitate the implementation of the accelerated procedure.387Romanian authorities tested the enhanced use of the accelerated procedure, with good practices emerging on the fast identification of both eligible cases and applicants with vulnerabilities, who were then exempted and further referred for support.388

Regarding the personal scope of applying the accelerated procedure, the Belgian CALL confirmed that the procedure could not be applied to an applicant who could barely communicate with the officers and was not assisted by a sworn interpreter during the interview and, thus, was not even aware of the country in which she was.

On procedural safeguards to be provided in the accelerated procedure, the Administrative Court of Appeal of Piraeus in Greece upheld the appeal of an Iraqi national as she was not provided procedural guarantees when her asylum application was channelled, due to her vulnerabilities, from the accelerated procedure to the regular procedure. The court specified that these guarantees included a longer timeframe, the opportunity to obtain legal aid, an examination by an Asylum Service vulnerability officer and an interview conducted in accordance with the standards of the regular asylum procedure.

Practical difficulties were noted by Arca di Noe Società Cooperativa Sociale in Italy, which observed that shorter time limits in the accelerated procedure were not respected mainly in the first phase of the procedure, from the formalisation of the application through the C3 form to the stage of the interview before the Territorial Commission and the notification of the decision. However, the civil society organisation noted a significant decrease since October 2023 in the number of applications which were examined in the accelerated procedure because women were included in the category of vulnerable persons and channelled to the regular procedure. 389

Regarding appeals in the accelerated procedure, in January 2023 the Administrative Court of the Republic of Slovenia decided to refer a question to the CJEU for a preliminary ruling on the time limit for an appeal in accelerated procedures and the right to an effective remedy. The Slovenian legislation provides 3 calendar days to lodge an appeal in an accelerated procedure, starting from the notification of the manifestly unfounded decision and including weekends and public

holidays. On 27 September 2023, the CJEU ruled that Article 46(4) of the recast APD, read in conjunction with Article 47 of the EU Charter, precluded such national legislation if the period restricted the effective exercise of the rights guaranteed in Articles 12(1b), 12(2), 22 and 23 of the recast APD. The Ministry of the Interior is preparing amendments to the national act on international protection, which will take account of the CJEU ruling.

- 386European Commission. (2023, October 18). *Commission reports on progress made by Bulgaria and Romania on the Pilot Projects for Fast Asylum and Return Procedures* [Press release].
- 387European Commission. (2023, October 18). *Commission reports on progress made by Bulgaria and Romania on the Pilot Projects for Fast Asylum and Return Procedures* [Press release].
- 388European Commission. (2023, October 18). *Commission reports on progress made by Bulgaria and Romania on the Pilot Projects for Fast Asylum and Return Procedures* [Press release].
- 389Arca di Noè Società Cooperativa Sociale | Arca di Noe Social Cooperative Society. (2024). Input to the Asylum Report 2024. https://euaa.europa.eu/sites/default/files/2024-02/arca_di_noe_societa_cooperativa_sociale.pdf

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