



**Please cite as:** EUAA, '[2.4. Jurisprudence of the Court of Justice of the EU](#)' in *Asylum Report 2022*, Mayo 2022.

## 2.4. Jurisprudence of the Court of Justice of the EU

### 2.4. Jurisprudence of the Court of Justice of the EU

icon Jurisprudence of the Court of Justice of the EU

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

icon case law effective access to the asylum procedure

#### 2.4.1. Effective access to the asylum procedure

[Read more...](#)

icon case law on dublin procedure

#### 2.4.2. Dublin procedure

[Read more...](#)

icon case law on subsequent applications

#### 2.4.3. Subsequent applications

[Read more...](#)

icon case law on Interpretation of the concept of state protection

#### 2.4.4. Interpretation of the concept of state protection

[Read more...](#)

icon case law on determining protection provided by the UNRWA

#### 2.4.5. Determining protection provided by the UNRWA

[Read more...](#)

icon case law on determining protection provided by the UNRWA

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

[Read more...](#)

icon case law on the use of detention

#### 2.4.7. Use of detention

[Read more...](#)

icon on case law regarding the extension of protection status

#### 2.4.8. Extension of protection status as a derived right

[Read more...](#)

icon case law on equal treatment

#### 2.4.9. Equal treatment

[Read more...](#)

icon case law on rejected applicants for international protection

#### 2.4.10. Return of rejected applicants for international protection

[Read more...](#)

- [268CJEU](#). (2022, May 3). General Presentation.  
[https://curia.europa.eu/jcms/jcms/Jo2\\_6999/en/](https://curia.europa.eu/jcms/jcms/Jo2_6999/en/)

© European Union Agency for Asylum 2026 | Email: [info@euaa.europa.eu](mailto:info@euaa.europa.eu)