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4.5.6. Reorganisation of appeal panels

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icons showing reorganisation in appeals

Changes to appeal panels were introduced in several EU+ countries, often with the objective of speeding up the appeals procedure. Further clarifications on these aspects were also provided by courts through judicial reviews.

In Finland, the Supreme Administrative Court clarified that in cases related to international protection involving an assessment of converting to Christianity, a panel of three judges is required to rule in appeals before administrative courts. In another case, the Finnish Supreme Administrative Court annulled a lower court decision that did not respect the voting rules set up for the members of the panel, namely the fact that if there are several questions which affect the outcome of the decision, each of those questions must, in accordance with the Administrative Procedure Act, be put to a vote and the members of the court must rule on each question to be resolved.

In Italy, the implementation of the EU NEXT Generation Project, D.L. 80 of June 2021 – as amended by conversion Law No 113 of August 2021 – provided for the reinforcement of the Courts Office personnel, with the introduction of the Judicial Office *(Ufficio del Processo)*, a support office for judges and court administrations to which law clerks will be deployed for 3 years starting from February 2022. Clerks were also deployed to support judges assigned to the specialised sections on migration, with the objective of reducing the backlog at second instance. 507

In October 2022, the Administrative Court of Thessaloniki in Greece (Decision ΑΔ534/2022) sent a preliminary reference to the Council of State (προδικαστικό ερώτημα). It addressed the compatibility of provisions enabling members of Appeals Committees to process appeals in single-judge panels (used in fast-track procedures for instance) with Article 89 (2) and (3) of the Greek Constitution on the constitutional prohibition of parallel employment of magistrates (συλλογικά όργανα).508

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