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Section 4.3. Special procedures to assess protection needs

icon for special procedures

Section 4.3. Special procedures to assess protection needs

Countries may opt to use special procedures to assess an asylum application in an accelerated manner out of the regular procedure. This can be done, for example, when there are special protection needs or when an application is likely to be unfounded. Also, when an applicant presents a subsequent application without new evidence, the application may be dismissed as inadmissible without an examination on the merits, on the basis of the res judicata principle. In these special procedures, the duration of the procedure is shortened without undercutting procedural safeguards or a complete examination.

In the EU context, in addition to regular examination procedures, the recast APD sets the framework to examine applications for international protection at first instance under special conditions involving accelerated procedures when:

- an application is presumably unfounded;
- applications are made at border or transit zones; or
- when the admissibility of the application is in question.

In addition to special procedures, countries may also introduce policies to process specific categories of cases with priority and ahead of other pending cases *(see Section 4.4).*

In 2022, jurisprudential developments took the lead in the area of special procedures. Several EU+ countries revised their national lists of safe countries of origin, and some legislative developments changed border procedures and accelerated procedures. Concerns persisted around the use of border procedures and around the risks of acceleration based on the safe country concept and subsequent applications.

Section 4.3.1. Border procedures

4.3.1 Border procedures

Read more...

icon for safe country concept and safe countries of origin

4.3.2. Safe country concepts

Read more...

icon for accelerated procedures

4.3.3. Admissibility procedures

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Section 4.3.4. Accelerated procedures

4.3.4. Accelerated procedures

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4.3.5. Subsequent applications

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