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3.5.7. Length of the appeals procedure

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The length of asylum appeals was an aspect of concern for national authorities, with national evaluations of appeal procedures taking place in 2023. Civil society organisations criticised the excessive length of appeals procedures in several EU+ countries and provided recommendations to render a decision within reasonable time limits.

The Italian Constitutional Court upheld that the general rules applied to appeals in international protection cases and judicial proceedings which last less than 3 years at first instance were not in breach of reasonable duration and do not give rise to compensable damage.

CNRR noted the longer appeal procedure in Romania following the legislative changes of May 2023, which led to applicants having to follow judicial proceedings before two different courts. 480Also, Fundación Cepaim noted the excessive duration of the appeals procedure in Spain.481

The Swedish Refugee Law Centre noted that there were considerable differences in processing times of appeals between different courts, where some processed appeals within a couple of months and others within a few years.482

Aditus Foundation and Humanists Malta noted in their submission to the 4th Universal Periodic Review that Malta should adopt a long-term plan to reduce the duration of judicial procedures in general, including by appointing additional judges and allocating adequate resources to courts. 483

- 480Romanian National Council for Refugees (CNRR) | Consiliul Național Român pentru Refugiați. (2024). Input to the Asylum Report 2024.
- 481Cepaim Foundation | Fundación Cepaim. (2024). Input to the Asylum Report 2024.
- 482Swedish Refuge Law Center | Asylrättscentrum. (2024). Input to the Asylum Report 2024.
- 483aditus foundation and Humanists Malta. (July 2023). *Submission to the 4th UPR on Malta*.

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