

2.2.1. Defining the concept of a serious (non-political) crime

The interpretation of this ground has evolved significantly following a series of CJEU rulings which have led to increased harmonisation, although varying national practices and uncertainties still exist. In particular, the lack of a definition of a ‘serious crime’ by the EU asylum *acquis* and by the CJEU has led to national courts applying their own definitions. Such definitions have been derived directly from national legislation or established national court practices, and they take different forms, such as lists of crimes, penalty thresholds or have been formulated in relation to the consequences of the crime. However, it is generally accepted that the concept of a serious crime is autonomous and needs to be distinguished from the understanding of crime under national criminal law.

The CJEU has addressed the lack of a definition provided by the (recast) QD in several rulings. In *Ahmed* (C-369/17, 13 September 2018), the CJEU ruled that where EU provisions do not indicate that the meaning and scope of a term must be defined by national law, such terms must normally be given an autonomous and uniform interpretation throughout the EU, taking into account the context of that provision and the objectives pursued. It therefore follows that a uniform interpretation of a serious crime is required. In a more recent judgment, in *K. L. v Migration Department at the Ministry of the Interior of the Republic of Lithuania [Galte]* (C-63/24, 30 April 2025), the CJEU held that in the absence of a definition of serious crime, the concept under the exclusion grounds must also be interpreted within its usual meaning in everyday language.

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