

## Asylum Judgments and Pending Preliminary References of the CJEU

Compiled by ECRE

14 October 2022

### Reception Conditions Directive 2003/9/EC (recast 2013/33/EU)

Judgments	Date	Subject
<a href="#">C-179/11 CIMADE</a>	27/09/2012	Reception conditions during Dublin procedure
<a href="#">C-534/11 Arslan</a>	30/05/2013	Detention pending return; evasive asylum application
<a href="#">C-79/13 Saciri</a>	27/02/2014	Financial allowance for reception conditions
<a href="#">C-562/13 Abdida</a>	18/12/2014	Reception system for the basic needs of the person applying for subsidiary protection and with a serious illness
<a href="#">C-601/15 J.N (PPU)</a>	15/02/2016	Detention and Art. 6 CFR
<a href="#">C-18/16 K</a>	14/09/2017	Art. 8(3), compatibility with Article 6 CFR
<a href="#">C-233/18 Haqbin</a>	12/11/2019	Art. 20 review of dignified standard of living concerning material reception conditions.
<a href="#">C-808/18 Commission v Hungary</a>	17/12/2020	Compatibility of domestic law with EU asylum law and national procedures for examining international protection. The case also relates to return procedures, especially at the border.
<a href="#">C-322/19 MK.S. and M.H.K. joined with C-385/19 R.A.T., D.S.</a>	14/01/2021	Definition of “applicant”; right to work for applicants pending Dublin transfer
<a href="#">C-821/19 Commission v Hungary (Incrimination de l’aide aux demandeurs d’asile)</a>	16/11/2021	CJEU declared that Hungary has failed to fulfil its obligations under: <i>inter alia</i> Article 10(4) of Directive 2013/33/EU by adopting measures criminalising organised activity to assist applicants in the asylum procedure. <b>(See also Procedures Directive cases)</b>
<a href="#">C-72/22 M.A.</a>	30/06/2022	EU law incompatibility with national provisions that allow detention and limit the applications for international protection due to irregular stay
<a href="#">C-422/21</a>	01/08/2022	Withdrawal of material reception conditions as a sanction imposed on an applicant for international protection who engaged in

		seriously violent behaviour against public officials outside of an accommodation centre.
--	--	--

## Dublin II Regulation 343/2003 (Dublin III recast 604/2013)

Judgments	Date	Subject
<a href="#">C-19/08 Petrosian</a>	29/01/2009	Transfer deadline; suspensive effect
<a href="#">C-411/10 &amp; C-493/10 NS</a>	21/12/2011	Greece; no transfer if risk of rights violation
<a href="#">C-620/10 Kastrati</a>	03/05/2012	Withdrawal of asylum application
<a href="#">C-245/11 K</a>	06/11/2012	Art. 15; sovereignty and humanitarian clause
<a href="#">C-528/11 Halaf</a>	30/05/2013	Sovereignty clause; Art. 18 EU Charter
<a href="#">C-648/11 MA</a>	06/06/2013	Transfer of unaccompanied minor
<a href="#">C-4/11 Puid</a>	14/11/2013	Responsibility if transfer suspended
<a href="#">C-394/12 Abdullahi</a>	10/12/2013	Appeal grounds against take charge transfer
<a href="#">C-695/15 PPU Mirza</a>	17/03/2016	Safe third country
<a href="#">C-155/15 Karim</a>	07/06/2016	Article 27, effective remedy
<a href="#">C-63/15 Ghezlbash</a>	07/06/2016	Effective remedy, transfers under Dublin
<a href="#">C-578/16 PPU - C. K. and Others</a>	16/02/2017	Transfer, Article 17, Article 4 Charter
<a href="#">C-528/15 Al Chodor</a>	15/03/2017	Detention, risk of absconding
<a href="#">C-36/17 Ahmed (Order)</a>	05/04/2017	Transfer
<a href="#">C-490/16 A.S.</a>	26/07/2017	Transfer, Articles 13(1) and 27
<a href="#">C-646/16 Jafari</a>	26/07/2017	Interpretation of "visa" under the Dublin Regulation III and Schengen Borders Code
<a href="#">C-670/16 Mengesteb</a>	26/07/2017	Article 21(1) - Transfer
<a href="#">C-60/16 Amaryry</a>	13/09/2017	Detention, calculation of periods
<a href="#">C-201/16 Shiri</a>	25/10/2017	Time Limit for transfer to the Responsible State
<a href="#">C-360/16 Hasan</a>	25/01/2018	Time Limit for transfers to the Responsible State in case of subsequent return to requesting Member State
<a href="#">C-647/16 Hassan</a>	31/05/2018	Article 26 - Taking a transfer decision and notifying the applicant before the requested State has accepted the take back or take charge request
<a href="#">C-213/17 X</a>	05/07/2018	Responsibility under DRIII, subsequent asylum applications
<a href="#">C-56/17 Fathi</a>	04/10/2018	Need for explicit decision to take responsibility under Dublin; persecution on religious grounds; burden of proof.
<a href="#">C-47/17 and C-48/17 X. and X.</a>	13/11/2018	Time limits for responding to requests for re-examination of a "take back" request
<a href="#">C-661/17 M.A., S.A., A.Z.</a>	23/01/2019	Article 17 DRIII; effective remedy; Brexit

<a href="#">C-163/17 Jawo</a>	19/03/2019	Definition of “absconded” for the purposes of extending the time limit after which a MS shall be relieved of its responsibility.
<a href="#">C-582/17 H. and C-583/17 R.</a>	02/04/2019	Legal remedy; applications in different Member States
<a href="#">C-194/19 H.A.</a>	15/04/2021	Dublin transferee and consideration of right to effective remedy upon return
<a href="#">C-231/20 I.A. v Bundesamt für Fremdenwesen und Asyl</a>	31/03/2022	Concept of “imprisonment” for justification of transfer time limit extension under Dublin does not cover time in a court ordered psychiatric ward
<a href="#">case C-19/21</a>	01/08/2022	Right to a judicial remedy against the refusal decision from a Member State to take care of him under the Dublin system
<a href="#">Case C-720/20</a>	01/08/2022	A minor who was born in a different MS from where their family members enjoy international protection can lodge the application in country of birth or in country where the family obtained the beneficiary status ( <b>see also APD</b> )
<a href="#">Joined cases C-245/21 and C-248/21</a>	22/09/2022	Suspension of a transfer under Dublin Regulation due to the Covid-19 pandemic does not legitimize the interruption of the transfer time limit

<b>Pending references</b>		
<a href="#">C-720/20 Bundesrepublik Deutschland</a>	26/02/2021	Child born in Germany and parents applied there for international protection, but parents enjoy refugee protection in Poland. Who is responsible? Quid Article 33(2) QD?
<a href="#">C-231/21 Bundesamt für Fremdenwesen und Asyl</a>	12/04/2021	Expiry and extension of the transfer time limit in the context of a stay on the psychiatric ward of a hospital against or without the will of the person concerned due to mental illness
<a href="#">C-228/21 Unità Dublino v CZA</a>	8/04/2021	Can action be brought under Article 21 against a transfer decision because of a failure to deliver the information leaflet required under Article 4 by the Member State which adopted the decision?
<a href="#">C-262/21 PPU A v B</a> (AG Opinion)	14/07/2021	Interaction between EU rules on child custody and Dublin III Regulation rules on responsibility for asylum applications
<a href="#">C-323/21</a> and the joint cases <a href="#">C-324/21</a> and <a href="#">C-325/21</a> (AG Opinion)	8/09/2022	Concept of “requesting Member State” of Article 29(2) of the Dublin III in multiplicity of transfer requests

## Qualification Directive 2004/83/EC (recast 2011/95/EU)

Judgments	Date	Subject
-----------	------	---------

<a href="#">C-465/07 Elgafaji</a>	17/02/2009	Interpreting Article 15(c)
<a href="#">C-(175-179)/08 Abdulla</a>	02/03/2010	Revocation; new circumstances
<a href="#">C-31/09 Bolbol</a>	17/06/2010	Exclusion of Palestinians
<a href="#">C-57/09 &amp; C-101/09 B,D</a>	09/11/2010	Exclusion due to terrorist acts
<a href="#">C-71/11 &amp; C-99/11 Y,Z</a>	05/09/2012	Persecution due to religious belief
<a href="#">C-277/11 M</a>	22/11/2012	Duty of cooperation
<a href="#">C-364/11 El Kott</a>	19/12/2012	Cessation and Palestine
<a href="#">C-(199-201)/12 X,Y,Z</a>	07/11/2013	Persecution due to sexual orientation
<a href="#">C-285/12 Diakité</a>	30/01/2014	Meaning of 'internal armed conflict'
<a href="#">C-604/12 H.N.</a>	08/05/2014	Prior refugee refusal before subsidiary claim
<a href="#">C-481/13 Qurbani</a>	17/07/2014	No interpreter. Refugee Convention by CJEU
<a href="#">C-(148-150)/13 A, B, C</a>	02/12/2014	Credibility in sexual orientation asylum cases
<a href="#">C-542/13 M'Bodj</a>	19/12/2014	Benefits; right to remain on medical grounds
<a href="#">C-562/13 Abdida</a>	19/12/2014	Medical grounds; suspensive effect; benefits
<a href="#">C-472/13 Shepherd</a>	26/02/2015	Claims based on avoiding military service
<a href="#">C-373/13 HT</a>	24/06/2015	Residence permit and national security
<a href="#">C-443/14 &amp; C-444/14 Alo and Osso</a>	01/03/2016	Freedom of movement for subsidiary protection holders
<a href="#">C-429/15 Danqua</a>	20/10/2016	Time limit, subsidiary protection application
<a href="#">C-573/14 Lounani</a>	31/01/2017	Exclusion, participation in terrorism
<a href="#">C-560/14 M v Ministre for Justice and Equality Ireland</a>	09/02/2017	Right to be heard, separate procedure for subsidiary protection (Ireland)
<a href="#">C-473/16 F.</a>	25/01/2018	Art. 4 of the Qualification Directive, LGBT, credibility, psychologist's report.
<a href="#">C-353/16 MP</a>	24/04/2018	Subsidiary protection; previous torture and impact on mental health
<a href="#">Joined Cases C-331/16 and C-366/16 K and Others</a>	02/05/2018	Art. 27(2) Citizenship Directive, Art. 12(2) Qualification Directive, 1F Refugee Convention
<a href="#">C-585/16 Alheto</a>	25/07/2018	Art 12(1)a) of the Qualification Directive, stateless woman from Palestine, Art 1A Refugee Convention
<a href="#">C-369/17 Ahmed</a>	13/09/2018	Art. 17(1)(b); exclusion ground
<a href="#">C-652/16 Ahmedbekova</a>	04/10/2018	Articles 4 and 10 rQD - Articles 33(2)(e) and 46(3) rPD – joint procedures family members
<a href="#">C-56/17 Fathi</a>	04/10/2018	Need for explicit decision to take responsibility under Dublin; persecution on religious grounds; burden of proof.
<a href="#">C-713/17 Ayubi</a>	21/11/2018	Social assistance; non-discrimination; subsidiary protection; temporary residence.
<a href="#">C-77/17 ; C-78/17 X. and X. and C-391/16 M</a>	14/05/2019	Art. 14 § 4 and 5 Qualification Directive, grounds for exclusion, withdrawal and refusal

		Invalidity of Arts. 14(4) & (6) Directive 2011/95/EU in light of Arts. 18 EU CFR, 78(1) TFEU, 6(3) TEU
<a href="#">C-720/17 Bilali</a>	23/05/2019	Revocation of subsidiary protection, knowledge
<a href="#">C-36/20 VL</a>	25/06/2020	Competent authority under national law to register requests for international protection
<a href="#">C-238/19 EZ (AG Opinion)</a>	19/11/2020	Reasons for persecution; Refusal to perform military service in a conflict; Article 9(2)(e)
<a href="#">C-507/19 Germany v. XT</a>	13/01/2021	Art. 12(1)(a) Qualification Directive, 'cessation' of UNRWA protection and assistance
<a href="#">C-255/19 OA</a>	20/01/2021	Minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection
<a href="#">C-901/19 CF and DN v Bundesrepublik Deutschland</a>	10/06/2021	Assessment of a threat of indiscriminate violence in armed conflict.
<a href="#">C-768/19 Bundesrepublik Deutschland v SE</a>	9/09/2021	Determine when the beneficiary of subsidiary protection is considered to be a minor for the purposes of a family member within the meaning of Article 2(j) Directive 2011/95
<a href="#">C-462/20</a>	28/10/2021	Discrimination of long term residents for exclusion of family benefit card only issued to nationals
<a href="#">C-91/20 LW v Bundesrepublik Deutschland</a>	9/11/2021	Article 23(2) – whether QD precludes national legislation from granting derivative refugee status to the unmarried minor child of a person who has been granted refugee status where that child does not necessary meet the requirements for protection
<a href="#">C-483/20 Commissaire général aux réfugiés et aux apatrides</a>	11/12/2020	Family unity: when the minor child has been awarded international protection in State A, is the application of the child's father, only parent present on EU soil, admissible in State B?
<a href="#">C-349/20 NB and AB</a>	03/03/2022	Art. 12(1)(a) Qualification Directive, 'cessation' of UNRWA assistance and NGOs cooperating with UNRWA
<a href="#">Case C-72/22 PPU</a>	30/06/2022	EU law incompatibility with national provisions that allow detention and limit the applications for international protection due to irregular stay
<a href="#">Case C-159/21 GM</a> Országos Idegenrendészeti Főigazgatóság and Others	22/09/2022	On classified information that leads to the deprivation of refugee status on grounds of national security and the determining authority assessment (Also APD)

<b>Pending references</b>		
<a href="#">C-579/20 F., A., G., H., I. v. Staatssecretaris van Justitie en Veiligheid</a>	02/11/2020	Article 15(c) and interpretation of indiscriminate violence. (CASED REMOVED FROM THE REGISTER)
<a href="#">C-641/20 VT v CPAS (order)</a>	22/01/2021	Consequences of the decision to withdraw a refugee status and right of residence: retains a provisional right of residence and his social rights during judicial remedy?
<a href="#">C-280/21 (AG Opinion)</a>	25/06/2021	Interpretation of the concept of "political opinion" as a ground to recognize refugee status when this political opinion is attributed to the applicant by the actor of persecution because of legal action brought against an individual linked to the corrupt state

## Procedures Directive 2005/85/EC (recast 2013/32/EU)

<b>Judgments</b>	<b>Date</b>	<b>Subject</b>
<a href="#">C-133/06 Parl. v Council</a>	06/05/2008	List of safe countries of origin
<a href="#">C-431/10 Comm. v Ire.</a>	07/04/2011	Non-transposition; Ireland
<a href="#">C-69/10 Diouf</a>	28/07/2011	Accelerated procedure; remedies
<a href="#">C-175/11 HID, BA</a>	31/01/2013	Accelerated procedure; remedies
<a href="#">C-239/14, Tall</a>	17/12/2015	Suspensive effect of appeals
<a href="#">C-348/16 Sacko</a>	26/07/2017	Judicial review
<a href="#">Case C-269/18</a>	05/07/2018	Manifestly unfounded applications, effect of interim relief measures when appeal has no suspensive effect, removal before court ruling
<a href="#">C-404/17 A</a>	25/07/2018	Country of origin information; clearly unfounded applications
<a href="#">C-175/17 X</a>	26/09/2018	Automatic suspensive effect for return decision;
<a href="#">C-662/17 E.G.</a>	18/10/2018	Differences of the rights and benefits between those granted subsidiary protection and those granted refugee status.
<a href="#">C-180/17 X, Y</a>	26/09/2018	Automatic suspensive effect for return decision;
<a href="#">Case C-422/18 FR</a>	27/09/2018	Suspensory effect of appeals and risk assessment when deciding to suspend the execution of a negative decision
<a href="#">C-438/17 Magamadov (joined cases C-297/17, C-318/17, C-319/17)</a>	19/03/2019	Transposition; applicant who was granted subsidiary protection in another MS
<a href="#">C-297/17 Ibrahim</a> (See C-438/17 above)	19/03/2019	Transitional period; inadmissible applications; need to submit separated request for suspension

<a href="#">C-556/17 Torubarov</a>	29/07/2019	Article 47 CFR EU; courts and tribunals' power to grant protection.
<a href="#">C-540/17 and C-541/17 Hamed and Omar</a> (Order)	13/11/2019	Interpretation of Directive 2013/32 in admissibility decisions when applicant has been granted protection status elsewhere.
<a href="#">C-406/18 PG</a>	05/12/2019	Appeal period of 60 days – effectiveness of substantive rules and procedural guarantees. Courts cannot reform, only annul decisions for international protection.
<a href="#">C-564/18, LH v Bevándorlási és Menekültügyi Hivatal,</a>	19/03/2020	Grounds for issuing an inadmissibility decision of an application for international protection (IP) and the time-limit imposed to make such a decision
<a href="#">C-36/20 PPU AG Opinion</a>	30/04/2020	Other authorities liable to receive requests for protection but not competent to register them and Concept of “other authorities” <b>(See Qualifications Directive)</b>
<a href="#">C-924/19 and C-925 FMS, FNZ, SA Junior</a>	14/05/2020	Accommodation of asylum seekers in the Röszke transit zone at the Hungarian-Serbian border and the grounds of inadmissibility for asylum applications.
<a href="#">C-517/17 Addis</a>	16/07/2020	Failure to conduct a personal interview prior to an inadmissibility decision when an applicant has been granted international protection in another Member State.
<a href="#">C-651/19 JP v Commissaire général aux réfugiés et aux apatrides</a>	09/09/2019	Article 46 Procedures D & 47 Charter – Strict time limits to introduce appeals after subsequent application
<a href="#">C-616/19 M.S, M.W and G.S v Minister for Justice and Equality</a>	16/08/2019	Meaning of “the Member State concerned” in art. 25(2)(d) and (e) of directive 2005/85. CJEU allows Ireland to reject application, in case the applicant already enjoys protection elsewhere in the EU.
<a href="#">C-8/20 L.R. (Demande d’asile rejetée par la Norvège)</a>	20/05/2021	Article 33(2)(d) of Directive 2013/32/EU - an application for international protection may not be declared as inadmissible on the ground that a previous application was rejected by Norway Rejection of subsequent asylum application as inadmissible
<a href="#">C-921/19 LH v Staatssecretaris van Justitie en Veiligheid</a>	10/06/2021	Interpretation of Article 40 of Directive 2013/32EU new elements or findings in subsequent asylum applications
<a href="#">C-18/20 XY v Bundesamt für Fremdenwesen und Asyl</a>	9/09/2021	Interpretation of Article 40 of Directive 2013/32EU new elements or findings in subsequent asylum applications, time limits and the absence of fault for disclosing information before
<a href="#">C-821/19 European Commission v Hungary</a>	16/11/2021	Criminalisation of assistance of international protection procedures. Article 8(2), Article

		12(1)(c), Article 22(1) and Article 33 Procedures Directive and under Article 10(4) of Reception Conditions Directive
<a href="#">C-483/20 XXXX</a>	22/02/2022	Interpretation Art 33 of APD. Granting protection to minor children in line of family unity to father already benefiting from IP in a different MS.
<a href="#">C-483/20 Commissaire général aux réfugiés and aux apatrides</a>	11/12/2020	Article 33(2)(a) of Directive 2013/32/EU, international protection in Austria, with children under international protection in Belgium. Inadmissibility due to IP granted in another MS
<a href="#">C-519/20 Landkreis Gifhorn</a>	10/03/2022	Art. 16 & 18 – Definition detention facilities – Detention for the purposes of removal
<a href="#">Case C-72/22 PPU</a>	30/06/2022	EU law incompatibility with national provisions that allow detention and limit the applications for international protection due to irregular stay
<a href="#">C-720/20 RO v Bundesrepublik Deutschland</a>	01/08/2022	Art 33 of APD and Dublin Regulation criteria. Minor asylum-seeker who was born in a different MS from where their family members enjoy international protection and lodge IP application in country of birth
<a href="#">C-159/21 GM</a> Országos Idegenrendészeti Főigazgatóság and Others	22/09/2022	Must the Procedures Directive 2013/32/EU be interpreted as that MS must ensure that int'l protection beneficiary who has had protection withdrawn is entitled to have access to at least the essence of the confidential information underpinning the decision, where reasons of national security apply? (Also Qualification Directive)
<a href="#">C-497/21</a> SI, TL, ND, VH, YT, HN v Bundesrepublik Deutschland	22/09/2022	Interpretation of Article 33(2)(d) APD - MS cannot consider applications inadmissible on the basis that the individual had previously been rejected a comparable application in Denmark

<b>Pending references</b>		
<a href="#">C-153/21 Ministre de l'Immigration et de l'Asile</a>	5/03/2021	Article 33(2)(a) Procedures Directive 2013/32/EU read in conjunction with Article 23 of Qualification Directive 2011/95/EU and with Article 24 of the Charter of Fundamental Rights of the European Union  Question regarding whether inadmissibility in respect of an application for international protection made by the parents of a minor in a Member State other than that which has previously granted international protection to the parents, brothers and sisters of the child, but not to the child himself



## Returns Directive 2008/115/EC

<b>Judgments</b>	<b>Date</b>	<b>Subject</b>
<a href="#">Case C-357/09 Kadzoev</a>	30/11/2009	Article 15 Return Directive; detention pending removal
<a href="#">Case C-61/11 El Dridi</a>	28/04/2011	Grounds for detention, return
<a href="#">Case C-430/11 Md Sagor</a>	06/12/2012	Alternatives to detention, fines, home detention
<a href="#">C-146/14 Ali Mahdi</a>	05/06/2014	Judicial review on detention to removal
<a href="#">Joined Cases C-473/13 and C-514/13, Adala Bero and Ettayebi Bouzalmate</a>	17/07/2014	Detention for removal should, as a rule, be in specialized detention facility; federal governments
<a href="#">C-474/13 Thi Ly Pham</a>	17/07/2014	Detention for removal cannot be in ordinary prison even if TCN consents
<a href="#">C-166/13 Sophie Mukarubega</a>	05/11/2014	Right to be heard, detention for removal
<a href="#">C-249/13 Boudjlida</a>	11/12/2014	Legal aid, right to be heard, detention for removal, no obligation to provide free legal aid
<a href="#">C-38/14 Zaizoune</a>	23/04/2015	National legislation, fine or removal
<a href="#">C-554/13, Zh. and O.</a>	11/06/2015	Return, risk to public policy
<a href="#">C-290/14 Skerdjan Celaj</a>	01/10/2015	Prison sentence for those who had been under earlier return procedure.
<a href="#">C-47/15 Sélina Affum</a>	01/10/2015	Prison sentence on illegally staying TCN breaching entry ban
<a href="#">C-/16 Ouhrami</a>	26/07/2017	Article 11(2) of the Return Directive – calculation of the 5 year period for entry ban
<a href="#">C-82/16 K. and others</a>	08/05/2018	Entry ban; dependency link; Family member of EU citizen.
<a href="#">C-181/16 Sadikou Gnandi</a>	19/06/2018	Return Directive, expulsion before procedure definitely concluded.
<a href="#">C-18/19 W.M. v Stadt Frankfurt am Main</a>	02/07/2020	Directive 2008/115/EC — Common standards and procedures in Member States for returning illegally staying third-country nationals
<a href="#">C-806/18 J.Z.</a>	17/09/2020	Return Directive – Criminalisation of stay after entry ban
<a href="#">C-233/19 B v CPAS</a>	30/09/2020	Returns directive; appeals; medical grounds; suspensive effect
<a href="#">C-402/19 LM v. CPAS</a>	30/09/2020	5 & 13 & 14 Return Directive: basic needs need to be provided to TCN with seriously ill child
<a href="#">C-568/19 MO v Subdelegacion del Gobierno en Toledo</a>	08/10/2020	No direct effect against individuals to issue removal order on basis of unlawfully staying TCN + aggravating circumstances
<a href="#">C-441/19 – T.Q.</a>	02/07/2020	Returns directive; Unaccompanied minors

<a href="#">C-673/19 M and Others (Éloignement vers un État membre)</a>	20/10/2020	Detention of recognized refugees in another MS.
<a href="#">C-112/20 M.A v Etat Belge</a>	11/03/2021	Common standards and procedures in Member States for returning illegally staying third-country nationals – Article 5
<a href="#">C- 519/20 Landkreis Gifhorn</a>	10/03/2021	German Legislation that allows detainees awaiting removal to be placed in a prison facility, despite specialised detention facilities being provided in the MS and despite the absence of an emergency situation Articles 16 and 18 of Returns Directive and interpretation of “specialised detention facility” where facility also hosts prisoners carrying out custodial sentences – <b>See also APD</b>
<a href="#">C-241/21 I.L. v Politsei- ja Piirivalveamet</a>	06/10/2022	Article 15(1) of RD interpretation regarding TCN in detention if there is a real risk that he/she will commit a criminal offence, and investigation/punishment may impede the execution of the removal process. Need for a clear legal basis that meets the requirements of proportionality, clarity, predictability and protection against arbitrariness

<b>Pending References</b>		
<a href="#">C-69/21 X v Staatssecretaris van Justitie en Veiligheid (ACTION DISMISSED)</a>	04/02/2021	With regard to the Return Directive- a request for interpretation of Article 19(2) CFEU, read in conjunction with Articles 1 and 4 CFEU, in order to assess whether a foreign national must be granted a postponement of departure because of his serious medical problems.

## Family Reunification

<b>Judgments</b>	<b>Date</b>	<b>Subject</b>
<a href="#">Joined cases C-356/11 and C-357/11 O. and S.</a>	06/12/2012	Family reunification, sponsorship requirement
<a href="#">Case C-338/13 Noorzia</a>	17/07/2014	Family reunification, national law requiring partner to be at least 21
<a href="#">C-153/14 K and A</a>	09/07/2015	Family reunification; Integration tests, language, fees
<a href="#">C-558/14 Mimoun Khachab</a>	21/06/2016	Sponsorship, family reunification
<a href="#">C-257/17 C, A.</a>	07/11/2018	Family reunification, integration purposes.
<a href="#">C-380/17 K. and B.</a>	07/11/2018	Family reunification, subsidiary protection, more favourable provisions, timeframe
<a href="#">C-484/17 K.</a>	07/11/2018	Family reunification, integration purposes.
<a href="#">C-550/16 A and S</a>	12/04/2018	Family reunification; ageing out

<a href="#">C-635/17 E</a>	13/03/2019	Possibility of Member States to reject application for family reunification solely due to lack of official documentary evidence of the family relationship.
<a href="#">C-557/17 Y.Z. and Others</a>	14/03/2019	Withdrawal of residence permit for the purposes of family reunification; fraudulent information
<a href="#">C-706/18 X v Belgian State</a>	20/11/2019	Art. 5 (4) Decision concerning the time limit in family reunification cases.
<a href="#">C-381/18 and C-382/18</a>	12/12/2019	Interpretation of Directive 2003/86/EC on right to family reunification
<a href="#">C-519/18 T.B. v Bevándorlási és Menekültügyi Hivatal</a>	12/12/2019	Interpretation of Article 10 2003/86, family reunification, material support, dependant relatives.
<a href="#">C-133/19, C-136/19 and C-137/19 B.M.M. v Belgium</a>	16/07/2020	On the interpretation of Directive 2003/86 on the right to family reunification where applicants reach the age of majority during proceedings
<a href="#">C-193/19 A v Migrationsverket</a>	04/03/2021	Interpretation of Article 5(2) Directive 2003/86 and the requirements for issuing or rejecting a residence permit for the purpose of family reunification and establishment of identity
<a href="#">C-279/20</a> Bundesrepublik Deutschland (Family reunification of a child who has reached the age of majority) v XC	01/08/2022	Articles 4 and 16 of FRD - On the interpretation of the Directive regarding the date that should be considered in family reunification of a minor who became adult before the sponsor was granted refugee status and assessment of a real family relationship
joined cases <a href="#">C-273/20</a> and <a href="#">C-355/20</a>	01/08/2022	The right of residency of parents who immigrated to join an unaccompanied minor refugee cannot depend on the date of the family reunification decision of the national authorities and assessment of a real family relationship

<b>Pending References</b>		
<a href="#">C-355/20 Federal Republic of Germany v BL, BC</a>	02/10/2020	Unaccompanied minor is joined by a parent but comes of age. What happens to the dependent family member and is the family life that is required defined as a 'real family life' or does the direct ascending line suffice?
<a href="#">C-560/20 Landeshauptmann von Wien</a>	12/02/2021	Interpretation of Article 10(3) Family Reunification Directive: procedure of granting of residence permit to parents in case of becoming of age. <a href="#">Interpretation of A and S.</a>
<a href="#">C-230/21 X, Y and Z v Belgische Staat</a>	9/04/2021	Does Article 2(f) of Directive 2003/86/EC require that a refugee 'unaccompanied minor' must be unmarried under his/her

<a href="#">AG OPINION</a>		national law in order to exercise the right to family reunification with his relatives in the ascending line? If marriage is not recognised in this MS for public policy reasons?
----------------------------	--	---

## Other

<b>Judgments</b>	<b>Date</b>	<b>Subject</b>
<a href="#">Joined cases C-188/10 and C-189/10 Melki et Abdeli</a>	22/06/2010	Internal border checks – Area of 20 Kilometre police checks
<a href="#">Case C-23/12 Zakaria</a>	17/01/2013	Legal remedy, refusal of entry
<a href="#">Joined cases C-141/12 &amp; C-372/12 Y.S. &amp; M and S</a>	17/07/2014	Personal data, applicant for perm. Residence
<a href="#">C-481/13 Qurbani</a>	17/07/2014	No jurisdiction, interpretation of 1951 Refugee Convention
<a href="#">C-101/13 U</a>	02/10/2014	Personal data, passports
<a href="#">C-579/13 P, S</a>	04/06/2015	Non-prohibition of civic integration examination
<a href="#">C-638/16 PPU, X and X</a>	07/03/2017	Humanitarian visa
<a href="#">C-9/16 A.</a>	21/06/2017	Police checks, identity documents; internal Schengen borders
<a href="#">C-643/15 &amp; C-647/15</a>	06/09/2017	Mandatory relocation mechanism
<a href="#">C-403/16 El Hassani</a>	13/12/2017	Art. 32(3) Visa Code – Appeal Procedure for refusing visas
<a href="#">C-240/17 E (PPU)</a>	16/01/2018	Article 25(2) Schengen Agreement; entry ban
<a href="#">T-852/16</a> and <a href="#">T-851/16</a>	08/02/2018	Access to documents related to the EU-Turkey Statement.
<a href="#">T-540/15 De Capitani</a>	22/03/2018	Access to documents relating to ongoing trilogues
<a href="#">C-474/17 Sociedad de Transportes SA.</a> and <a href="#">Touring Tours and Travel</a>	13/12/2018	Schengen Borders Code, passport and ID checks, bus companies
<a href="#">C-444/17 Arib.</a>	19/03/2019	Reintroduction of Schengen internal borders; return procedures
<a href="#">C-129/18 SM</a>	26/03/2019	'Kefalah' child, victim of exploitation, best interests of the child
<a href="#">C-680/17 Vethanayagam</a>	29/07/2019	Right to effective remedy under the Visa Code; right of a sponsor to bring an objection in his or her own name.
<a href="#">C-93/18 Ermira Bajratari v Secretary of State</a>	02/10/2019	Interpretation of Article 7(1)(b) of Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States
<a href="#">C-70/18 Staatssecretaris van</a>	03/10/2019	Collection, registration and retention of

<a href="#">Justitie en Veiligheid v A, B, P</a>		biometric data of Turkish nationals seeking residence permits
<a href="#">C-302/18 X v Belgian State</a>	03/10/2019	Article 5 (1) (a) Directive 2003/109 income from a third party family member was excluded in assessments granting long-term resident status for third country nationals.
<a href="#">C-341/18, Staatssecretaris van Justitie en Veiligheid v J and others</a>	05/02/2020	Article 2(2) of Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders
<a href="#">C-380/18 Staatssecretaris van Justitie en Veiligheid</a>	12/12/2019	Interpretation of Schengen Borders Code 2016/39, threat to public security.
<a href="#">C-836/18 Subdelegación del Gobierno en Ciudad Real v R.H</a>	27/02/2020	Article 20 TFEU — European Union citizens — Union citizen who has never exercised the freedom of movement
<a href="#">C-897/19 I.N v Russia</a>	02/04/20	Extradition carried out by a third state to an EU Member State with respect to a national of the European Free Trade Association.
<a href="#">C-715/17, C-718/17 and C-719/17 European Commission v Poland, Hungary and CZ</a>	02/04/2020	Relocation of those nationals to other Member States — Relocation procedure — Obligation on the Member States to indicate at regular intervals, and at least every three months, the number of applicants for international protection who can be relocated swiftly to their territory
<a href="#">C-584/18 D.Z</a>	03/07/2020	VISA; Airline obligations; denial of boarding
<a href="#">C-448/19 WT v Subdelegación del Gobierno en Guadalajara</a>	11/06/2020	Third country national long term resident; expulsion due to criminal convictions with sentence of more than one year.
<a href="#">C-78/18 EU Commission v Hungary</a>	18/06/2020	Compatibility of the limitations imposed to “civil society organizations” receiving donations from abroad in respect of Article 63 TFEU and Articles 7, 8, and 12 of the Charter
<a href="#">C-225/19 and C-226/19 R.N.S.S. and K.A.</a>	24/11/2020	Visa code, refusal on grounds of national security.
<a href="#">C-345/20 Openbaar Ministerie v. L</a>	17/12/2020	Interpretation of mutual trust in AFSJ
<a href="#">C-650/18 Hungary v EP</a>	03/06/2021	Article 7 TEU Procedures in the light of Fundamental Rights
<a href="#">C-194/20 BY, CX, FU, DW, EV</a>	3/06/2021	Interpretation of the 'EEC-Turkey Association Agreement — Association Council Decision No 1/80'
<a href="#">C-896/19 Repubblika v Il-Prim Ministru</a>	20/07/2021	Interpretation of the Rule of Law, derived from Article 19 TEU and Article 47 Charter, in relation to the Maltese Constitution.

<a href="#">C-35/20 Syyttäjä v A</a>	06/10/2021	Interpretation of Directive 2004/38 right of EU citizens to move freely within the territory of the European Union.
<a href="#">C-462/20 ASGI v Presidenza del Consiglio dei Ministri Dipartimento per le politiche della famiglia</a>	28/10/2021	TCN worker's entitlement to discounts on supplies of goods and services by public and private entities that have an agreement with the government
<a href="#">C-432/20 Z.K.</a>	20/01/2022	Loss of long-term residency under Directive 2003/109/EC
<a href="#">C-562/21 and C-563/21 X and Y</a>	22/02/2022	European Arrest Warrant under Framework Decision when rule of law concerns (Poland)
<a href="#">C-368/20 and C-369/20</a>	26/04/2022	Interlink between consecutive border closures, the TFEU and the Charter. + Article 24 of Schengen Borders Code. Schengen Borders Code precludes border controls being temporarily introduced if they exceed the maximum 6 months when no new risk exists
<a href="#">C-451/19 and C-532/19</a>	05/05/2022	Art 20 TFEU precludes a rejection of residence permits on the sole ground of insufficient resources where there is a relationship of dependency between a third-country national and a Union citizen
<a href="#">C-520/20 DB,LY</a>	16/06/2022	Refusal of execution of SISII alert, in case it is considered not to be conform SIS II-objectives.
<a href="#">C-930/19 X. v Belgium</a>	02/09/2022	Interpretation of Directive 2004/38 right of citizens of the Union and their family members to move and reside freely within the territory of the Member States in cases of domestic violence

<b>Pending References</b>		
<a href="#">C-592/19 SI v Subdelegación del Gobierno en Barcelona</a>	11/10/2019	Article 4 and Article 6(1) of Directive 2003/109/EC (1), criminal record, resident permit/status
<a href="#">Opinion 1/19 (APPEAL WAS DISMISSED)</a>	22/11/2019	Is the conclusion by the European Union of the Istanbul Convention, in accordance with Article 218(6) TFEU, compatible with the Treaties in the absence of mutual agreement between all the Member States concerning their consent to be bound by that convention?

<a href="#">C-150/20 BD v Deutsche Lufthansa AG</a>	24/07/2020	Transfer of PNR Data in the light of Article 7 & 8 of the Charter: specific Directive – retention period – procedural protection – transfer to TC
<a href="#">P v. Openbaar Ministerie</a>	23/10/2020	Rule of Law, in the context of the EAW. However, important in the AFSJ.
<a href="#">C-420/20 HN</a>	15/09/2022	Interlinkage between entry ban and the right to be present at a trial. Restriction to the right of the accused person to be present in person at the trial due to a ban entering and residing in the country for foreign nationals
<a href="#">C-523/20 Koppány (ORDER)</a>	08/01/2021	Interpretation of legally resident
<a href="#">C-615/20 YP and others</a>	22/01/2021	Rule of Law – independence of the Court.
<a href="#">C-66/21 O.T.E v Staatssecretaris van Justitie en Veiligheid</a>  <a href="#">OPINION</a>	29/01/2021	Dublin Regulation 604/2013 take back request made by Netherlands to Italy, for victim of human trafficking,  Interpretation of Article 6 of Directive 2004/81/EC (on residence permit issued to third-country nationals who are victims of trafficking in human beings)
<a href="#">T-282/21 SS and ST v Frontex (ACTION INADMISSIBLE)</a>	02/07/2021	Action against Frontex
<a href="#">C-624/20 E.K. v Staatssecretaris van Justitie en Veiligheid</a>	17/03/2022	Article 20 TFEU and Directive of third country nationals who are long term residents (Directive 2003/109/EC). ‘solely on temporary grounds’ is an autonomous concept and temporary residence does not give a right to long term residence (regarding Ghanian mother whose son had Dutch nationality)
<a href="#">joined cases of C-704/20 and C-39/2</a>  <a href="#">AG OPINION</a>	21/06/2022	Judicial review of detention and judicial review of continued detention <ul style="list-style-type: none"> <li>- national court’s ability to assess of its own motion whether all the conditions of detention have been complied with</li> <li>- compatibility with EU law of the practice of giving an abbreviated</li> </ul>

		reasons at second and last instance on the lawfulness of a detention order
--	--	--