



C/2023/737

20.11.2023

Order of the Court (Eighth Chamber) of 27 September 2023 (request for a preliminary ruling from the Upravno sodišče — Slovenia) — Y.N. v Republika Slovenija

(Case C-58/23, ⁽¹⁾ Abboudnam) ⁽²⁾

(Reference for a preliminary ruling — Article 99 of the Rules of Procedure of the Court of Justice — Area of freedom, security and justice — Asylum policy — Common procedures for granting and withdrawing international protection — Directive 2013/32/EU — Articles 22 and 23 — Right to legal assistance and representation — Article 46(4) — Reasonable period of time for lodging an appeal — Article 47 of the Charter of Fundamental Rights of the European Union — Right to an effective remedy before a tribunal — Rejection of an application for international protection as manifestly unfounded by accelerated procedure)

(C/2023/737)

Language of the case: Slovenian

Referring court

Upravno sodišče

Parties to the main proceedings

Applicant: Y.N.

Defendant: Republika Slovenija

Operative part of the order

Article 46(4) of Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection, read in the light of Article 47 of the Charter of Fundamental Rights of the European Union,

must be interpreted as precluding national legislation that lays down a period of three days, including public holidays and non-working days, for lodging an appeal against a decision rejecting as manifestly unfounded an application for international protection, delivered by accelerated procedure, where that period is such as to constitute a restriction on the effective exercise of the rights guaranteed in Article 12(1)(b) and (2), and Articles 22 and 23 of that directive.

⁽¹⁾ OJ C 155, 2.5.2023.

⁽²⁾ The name of the present case is a fictitious name. It does not correspond to the real name of any party to the proceedings.