



C/2024/5789

7.10.2024

**Request for a preliminary ruling from the Raad van State (Netherlands) lodged on 11 July 2024 –
Staatssecretaris van Justitie en Veiligheid, X**

(Case C-489/24, Safita) ⁽¹⁾

(C/2024/5789)

Language of the case: Dutch

Referring court

Raad van State

Parties to the main proceedings

Appellants: Staatssecretaris van Justitie en Veiligheid, X

Questions referred

1. May the determining authority apply point (b) of the third subparagraph of Article 31(3) of the Asylum Procedures Directive ⁽²⁾ repeatedly and consecutively?
2. If Question 1 is answered in the affirmative:
 - a. Under what conditions may the determining authority apply point (b) of the third subparagraph of Article 31(3) of the Asylum Procedures Directive repeatedly and consecutively, and is the total duration of the period over which the determining authority may apply that provision repeatedly and consecutively subject to any restrictions?
 - b. In answering the question whether the determining authority was permitted to extend the time limit for making its decision following, and consecutive to, a previous decree extending that time limit, to what extent can or must the court take account of the increase in the number of asylum applications, including relative to the period preceding the previous decree extending the time limit, and the determining authority's efforts (if any) to improve the shortfall in its decision-making capacity in order to ensure – against the backdrop of Article 4(1) of the Asylum Procedures Directive – an adequate and complete examination of asylum applications?

⁽¹⁾ The name of the present case is a fictitious name. It does not correspond to the real name of any party to the proceedings.

⁽²⁾ 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 (OJ 2013 L 180, p. 60).