



**Request for a preliminary ruling from the Rechtbank Den Haag, zittingsplaats Roermond
(Netherlands) lodged on 22 October 2025 – DP v Minister van Asiel en Migratie**

(Case C-675/25, Abrazov ⁽¹⁾)

(C/2026/629)

Language of the case: Dutch

Referring court

Rechtbank Den Haag, zittingsplaats Roermond

Parties to the main proceedings

Applicant: DP

Defendant: Minister van Asiel en Migratie

Questions referred

1. Should Article 4 of the Charter, read in conjunction with Article 47 of the Charter, Article 27(1) of Regulation (EU) No 604/2013 ⁽²⁾ and Article 43(1)(a) and (b) of Regulation (EU) 2024/1351, ⁽³⁾ be interpreted as meaning that a third-country national may only be transferred under Regulation (EU) No 604/2013 and Regulation (EU) 2024/1351 if it has been ruled out that the effects of the transfer decision entail a real and proven risk that that third-country national will be subjected to inhuman or degrading treatment within the meaning of Article 4 of the Charter, and that Article 4 of the Charter therefore precludes the competent national authority, including the judicial authority, from taking into account the effects of the transfer decision on the health of that third-country national solely for the purpose of assessing whether the third-country national is fit to travel?
2. Should Articles 1 and 4 of the Charter, read in conjunction with Article 47 of the Charter, Article 27(1) of Regulation (EU) No 604/2013 and Article 43(1)(a) and (b) of Regulation (EU) 2024/1351, be interpreted as meaning that the judicial authority reviewing the legality of a transfer decision is required, if necessary of its own motion, to determine that the transfer is absolutely prohibited under Regulation (EU) No 604/2013 and Regulation (EU) 2024/1351 is absolutely prohibited and cannot be suspended if objective data show that the suspension of the transfer would in itself entail a real and proven risk of a significant and irreversible deterioration in health, or must be considered incompatible with human dignity?

⁽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⁾ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (OJ 2013 L 180, p. 31).

⁽³⁾ Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013 (OJ L 2024/1351).