



ALMA MATER STUDIORUM  
UNIVERSITÀ DI BOLOGNA



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## [ACCESS](#) Seminar Series on **The EU's New Legal Framework on Asylum and Its Impact on Access to Asylum** University of Bologna

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### **Seminar 6: Safe Third Country Concept – Challenges Arising from CJEU Jurisprudence**

The "safe third country" concept remains a pivotal and contentious issue in the European Union's migration and asylum framework. This seminar will critically assess the evolving jurisprudence of the Court of Justice of the European Union (CJEU), focusing on significant rulings and their implications for Member States' obligations at both EU and national levels.

Key topics will include the landmark **Case C-406/22** and **Case C-134/23**, where the CJEU clarified the criteria for designating a third country as "safe" and emphasized the procedural safeguards necessary to uphold fundamental rights. These decisions have ignited debate about balancing national sovereignty with the uniform application of EU law, underscoring tensions within the Common European Asylum System (CEAS).

The seminar will also explore **pending preliminary references from Italian courts**, such as **Case C-388/24**, which question the compatibility of national practices with EU asylum standards. These cases highlight critical issues, including the interpretation of fundamental rights, the principle of non-refoulement, and the judicial scrutiny required under the CEAS when implementing the safe third country principle.

Additionally, the discussion will consider the implications of these rulings for interpreting **Article 59 of Regulation (EU) 2024/134**, which redefines the procedure for designating safe third countries under the revised EU asylum framework.

This seminar is part of the broader **ACCESS Seminar Series**, which examines the impact of the EU Pact on Migration and Asylum. The **ACCESS project** seeks to develop a comprehensive theoretical model for understanding how domestic and supranational courts shape international refugee law, while addressing executive-driven migration governance and State-created barriers to accessing asylum. Led by **Assoc. Prof. Madalina Moraru** at the SPS Department, University of Bologna, the project also investigates the socio-legal factors influencing asylum adjudication.

To register, [click here](#)

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#### **Details:**

- **Date:** Monday, 17 March 2025
  - **Time:** 15:00–17:30
  - **Location:** Aula di Virgilio (Via dei Bersaglieri, 6, Palazzo Hercolani) and [Online](#)
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#### **Chair:**

**Lucia Serena Rossi** (University of Bologna, former judge at the Court of Justice of the European Union)

#### **Speakers:**

**Cathryn Costello** (University College Dublin), **Marco Borraccetti** (University of Bologna), **Martin Kopa** (Regional Court Judge in Brno), **Catherine Koutsopoulou** (President of the European Chapter of the IARMJ).

**Organization committee:** Alice Lacchei, Madalina Moraru, Marco Borraccetti in collaboration with Forum "La Proiezione Internazionale dell'Unione Europea" (PIUE) and Forum "Immigrazione, Frontiere e Asilo" (IFA) of AISDUE

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Gatekeepers to International Refugee Law? – The Role of Courts in Shaping Access to Asylum (ACCESS) University of Bologna, 2023-2028, PI: Madalina Moraru,

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