

**Case C-53/24 [Daraa]<sup>i</sup>****Summary of the request for a preliminary ruling pursuant to Article 98(1) of the Rules of Procedure of the Court of Justice****Date lodged:**

26 January 2024

**Referring court:**

Conseil du contentieux des étrangers (Belgium)

**Date of the decision to refer:**

22 January 2024

**Applicant:**

X

**Defendant:**

Commissaire général aux réfugiés et aux apatrides

**Preliminary remark**

- 1 The present reference for a preliminary ruling is one of a group of seven cases (bearing case numbers C-50/24 to C-56/24) received by the Court on the same day from the same referring court, the Conseil du contentieux des étrangers (Council for Asylum and Immigration Proceedings, Belgium), concerning the arrival by air at Brussels Airport (Belgium) of third-country nationals who all lodged applications for international protection at the border on the day of their arrival. In each of those cases, decisions to refuse entry followed by decisions ‘to detain in an assigned place at the border’ and then ‘to detain in an assigned place’ were adopted in respect of the applicants prior to the adoption of decisions ‘to refuse refugee status and refuse subsidiary protection status’, which are the contested decisions.

<sup>i</sup> The name of the present case is fictitious and does not correspond to the real name of any party to the proceedings.

### **Succinct presentation of the facts and procedure in the main proceedings**

- 2 [The relevant facts are essentially identical to those set out in the summary of Case C-50/24. The dates are slightly different.]
- 3 It should also be noted that at the beginning of the applicant's interview with the Commissaire général aux réfugiés et aux apatrides (Commissioner General for Refugees and Stateless Persons, Belgium), he made several complaints, including that he was unable to meet a lawyer before the personal interview.
- 4 In addition, in the present case, the Chambre du conseil (Investigation Chamber) of the tribunal de première instance francophone de Bruxelles (Brussels Court of First Instance (French-speaking), Belgium) ordered the applicant to be released immediately.
- 5 Initially, that release did not take place because of an appeal with suspensory effect.
- 6 According to the information provided by the applicant to the Council for Asylum and Immigration Proceedings at the hearing on 3 January 2024, which was not disputed by the defendant, he was eventually released at the end of the appeal proceedings.

### **Examination of the action and questions referred for a preliminary ruling**

- 7 [The legal discussion, the reasons for the reference and the questions referred are essentially the same as those set out in the summary of the request for a preliminary ruling in Case C-50/24.]
- 8 Application of the urgent preliminary ruling procedure is not requested in the present case.