

Request for a preliminary ruling from the Verwaltungsgerichtshof (Austria) lodged on 12 April 2016 — Majid (or Madzhdi) Shiri

(Case C-201/16)

(2016/C 260/23)

Language of the case: German

Referring court

Verwaltungsgerichtshof

Parties to the main proceedings

Applicant: Majid (or Madzhdi) Shiri

Defendant: Bundesamt für Fremdenwesen und Asyl

Questions referred

1. Are the provisions of 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 ⁽¹⁾ that confer the right to an effective remedy against a transfer decision, in particular Article 27(1), to be interpreted as meaning that an applicant for asylum is entitled to claim that responsibility has been transferred to the requesting Member State on the ground that the six month transfer period has expired (Article 29(2) in conjunction with Article 29 (1) of Regulation No 604/2013 in light of the 19th recital)?

If the answer to Question 1 is in the affirmative:

2. Does the transfer of responsibility under the first sentence of Article 29(2) of Regulation No 604/2013 occur by the fact of the expiry of the transfer period without any order or, for responsibility to be transferred because the period has expired, is it also necessary that the obligation to take charge of, or to take back, the person concerned has been refused by the responsible Member State?

⁽¹⁾ OJ 2013 L 180, p. 31.

Request for a preliminary ruling from the Bundesverwaltungsgericht (Germany) lodged on 14 April 2016 — Wirtschaftsakademie Schleswig-Holstein GmbH v Unabhängiges Landeszentrum für Datenschutz Schleswig-Holstein

(Case C-210/16)

(2016/C 260/24)

Language of the case: German

Referring court

Bundesverwaltungsgericht